

IN THE HIGH COURT OF SINDH AT KARACHI

PRESENT:

MR. JUSTICE AQEEL AHMED ABBASI, CJ
MR. JUSTICE ABDUL MOBEEN LAKHO, J

C.P.No.D-5466 of 2023

&

C.P.No.D-5600 of 2023

Date	Order with Signature of Judge
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C.P.No.D-5466 of 2013

Federation of Pakistan.....v.....Federation of Pakistan
Chambers of Commerce & others

C.P.No.D-5600 of 2023

Ahmed Chinoy & others.....v.....Federation of Pakistan & others

10-01-2024

M/s.Khalid Jawed, Yousuf Makda & Munawar Juna, Advocates for the Petitioners in C.P.No.D-5466 of 2023 and for Respondent Nos.2 and 3 in C.P.No.D-5600 of 2023.

Mr. Rafiq Ahmed Kalwar, Advocate for the Petitioners in C.P.No.D-5600 of 2023 and for Applicants/Interveners in C.P.No.D-5466 of 2023.

Mr. Irshad Ali, Assistant Attorney General.

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ORDER

Today, learned counsel for the petitioner in C.P.No.D-5600/2023 has filed a statement along with annexures, which is taken on record, copy of the same has been supplied to learned counsel for other side, wherein, it has been stated that since the Notification impugned by the petitioner in C.P.No.D-5466/2023 has been superseded by another Notification dated 27.11.2023, through which Mr.Umar Dad Afridi, an officer of BPS-21 has been appointed as Regulator of Trade Organizations in terms of

Section 13(1) of the Trade Organizations Act, 2013 (II of 2013) with the approval of Federal Government, whereafter, pursuant to Court's order, elections of FPCCI for the years 2024-2025 were held on 30.12.2023 and the result has been announced vide Notification dated 31.12.2023, therefore, instant petition has become infructuous.

2. Mr.Khalid Jawed, Advocate for the Petitioners in C.P.No.D-5466 of 2023 and for Respondent Nos.2 and 3 in C.P.No.D-5600 of 2023 does not dispute such factual position, however, submits that in view of the fact that subsequent Notification dated 27.11.2023 has been issued relating to appointment of Regulator of Trade Organization after approval of Federal Cabinet, therefore, the grievance expressed by the petitioner in C.P.No.D-5466/2023 relating to legality of Notification dated 06.10.2023 was as per law, therefore, submits that the aforesaid Notification may be declared to have been issued without lawful authority keeping in view of the Judgment passed by Hon'ble Supreme Court of Pakistan in the case reported *PLD 2016 SC 808 (Mustafa Impex v. Government of Pakistan & others)*.

3. Heard the learned counsel for the parties as well as the learned Asst. Attorney General, perused the record with their assistance, and also taken cognizance of the fact that during pendency of instant petition, subsequent issuance of Notification dated 27.11.2023 in supersession of previous Notification has been issued after approval of Federal Cabinet, which otherwise has not been challenged before this Court in the instant petition.

We are of the opinion that purpose of filing both the petitions has been served out, as the impugned Notification has been superseded and elections have been held, therefore, without commenting as to the validity or otherwise of the impugned Notification, we dispose of both these petitions along with pending applications for having served out the purpose.

CHIEF JUSTICE

JUDGE

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