

IN THE HIGH COURT OF SINDH AT KARACHI

**C.P.No.D-5943 of 2023**

*Nasim Ahmed Memon.....v.....Governor of Sindh & others*

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Date

Order with Signature of Judge

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Before:-

**MR. JUSTICE AQEEL AHMED ABBASI**  
**MR. JUSTICE ABDUL MOBEEN LAKHO**

- 1.For orders on Misc.No.27721/2023
- 2.For orders on Misc.No.27722/2023
- 3.For orders on Misc.No.27723/2023
- 4.For hearing of main case.

08.12.2023.

M/s.Saqib Soomro & Ameer Ali, Advocates for the Petitioner.

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ORDER

1. Urgency granted.
- 2 to 4. Learned counsel for the petitioner when confronted as to how instant petition is maintainable against the order passed by learned Provincial Ombudsman Sindh for Protection Against Harassment of Women at the Workplace, as alternate remedy is available to file representation under Section 9 of the Protection of Harassment of Women at Workplace Act, 2010, which appears to have already been filed by the petitioner and the same is pending before Respondent No.1 (Governor of Sindh). Learned counsel for the petitioner submits that since in view of Rule 10(12) of Protection of Harassment of Women at Workplace Rules, 2010, the order of the Ombudsman is to be implemented within 14 days, whereas, in the impugned order directions of blocking of CNIC of the petitioner has also been issued in case of not paying the fine, therefore, the petitioner has approached this Court seeking protection to the extent that till the decision by Respondent No.1, the order passed by the Ombudsman may not be implemented.

Such contention of the learned counsel for the petitioner is misconceived for the reasons that unless this Court takes cognizance of the orders passed by the learned Ombudsman, interim relief cannot be granted to the petitioner in

piecemeal, whereas, alternate remedy provided under the law, has already been availed, therefore, the petitioner cannot be allowed to bypass the same, without any cogent reasons or compelling circumstances, therefore, the petitioner under the circumstances, may approach to Respondent No.1 seeking urgent hearing of the matter and may obtain interim order/final order including suspension of the order passed by the Ombudsman if permissible in accordance with law. It is expected that such request of the petitioner, keeping in view the facts and circumstances of the case may be considered by the Respondent No.1 at an early date.

Instant petition is disposed of along with listed applications in the above terms.

Acting Chief Justice

Judge

nasir

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**C.P.No.D-5941 of 2023**

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Date	Order with Signature of Judge
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- 1.For orders on Misc.No.27701/2023
- 2.For orders on Misc.No.27702/2023
- 3.For orders on Misc.No.27703/2023
- 4.For hearing of main case.

08.12.2023.

M/s.Muzammil Mumtaz and Ghulam Abbas, Advocates for the Petitioners.

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1. Urgency granted.
2. Exemption granted subject to all just exceptions.
- 3-4. Through instant petition the petitioners have impugned the notices dated 22.11.2023 and 04.12.2023 issued to the petitioners, who park their vehicles at the site adjacent to Comprehensive School Internal Raod, Korangi No.2-1/2 and also make payment of the parking charges through challans attached along with instant petition (at pages 61 to 83) since last two decades, however, through impugned notices issued by the Director (Charged Parking), TMC, Korangi, Karachi, the petitioners have been directed to remove their vehicles within 24 hours on the pretext that food street will be established over the subject land. According to learned counsel for the petitioners, the respondents have also demanded illegal gratification, however, on denial by the petitioners, the respondents can take adverse action against the petitioners in violation of the law, whereas, there is no feed street or any proposal to establish food street in future by the Government of Sindh, as admittedly there has been charged

parking, which reflects in the notices, whereas, legal notice was given to the respondents, but they are not acknowledging the same and intended to take adverse action against the petitioners.

Let pre-admission notice be issued to the respondents as well as A.A.G. to be served through first three modes for 19.12.2023, when reply/comments shall be filed with advance copy to learned counsel for the petitioners. In the meanwhile, the respondents shall not take any adverse action against the petitioners pursuant to impugned notices referred to hereinabove and the parties shall maintain status quo till next date of hearing.

Learned counsel for the petitioners submits that the Nazir of this Court may be directed to inspect the site to verify the factual position and submit his report. Let Nazir of this Court is appointed as Commissioner to inspect the site by associating the concerned parties to ascertain the factual position and submit his report along with photographs before the next date of hearing. The Nazir fee shall be Rs.30,000/- which will paid by the petitioners in advance.

Acting Chief Justice

Judge

nasir

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
C.P.No.D 4291 of 2020

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Date	Order with Signature of Judge
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- 1.For orders on Misc.No.27151/2023
- 2.For hearing of Misc.No.1464/2023

08.12.2023.

Mr.Danish Rashid, Advocate for the Petitioner.

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1. Learned counsel for the petitioner seeks urgency on the ground that despite of the fact that the order passed by this Court has been duly upheld

by the Hon'ble Supreme Court of Pakistan vide order dated 24.08.2023 passed in C.P.Nos.517-K and 542-K of 2023, the alleged contemnors are not implementing the order passed by this Court. Urgency granted.

To come up on 16.01.2024.

Acting Chief Justice

Judge

Nasir

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
C.P.No.D -2260 of 2022

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Date	Order with Signature of Judge
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- 1.For orders on CMA No.27091/2023
- 2.For orders on CMA No.25449/2023

08.12.2023.

Syed Meeral Shah, Advocate/Petitioner in person.

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1. Petitioner present in person seeks urgency on the ground that the order passed by this Court on 16.01.2023 has not been implemented.

Urgency granted.

2. Notice.

To come up on 20.12.2023 at 12:00 noon.

Acting Chief Justice

Judge

Nasir

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
C.P.No.D -5725 of 2023

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Date	Order with Signature of Judge
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- 1.For orders as to maintainability of petition.
- 2.For hearing of main case.

08.12.2023.

Mr.Munib Qidwai, Advocate holding brief for Mr.Sufiyan Zaman,  
Advocate for the Petitioner.

Mr.Saifullah, A.A.G.

Mr.Ahmed Ali Hussain, Advocate for the Respondent No.2

M/s.Umer Memon, and Aitizaz Manzoor, Advocate for Respondent No.3.

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Pursuant to Court's notice Mr.Ahmed Ali Hussain, Advocate has shown appearance, filed Vakalatnama and statement along with some documents on behalf of Respondent No.2 and requests for time to file detail reply/comments to the petition, however, submits that the same petitioner has earlier filed one Suit as well as petition i.e. C.P.No.D-5097/2023 and do not disclose this fact in the present petition, therefore requests that office may be directed to fix C.P.No.D-5097/2023 along with instant petition.

Learned counsel holding brief on behalf of petitioner's counsel disputes such position and submits that instant matter has no relevancy to the controversy agitated through instant petition and he will assist this Court on the next date of hearing.

M/s.Umer Memon, and Aitizaz Manzoor, Advocates undertakes to file Vakalatnama on behalf of Respondent No.3 and requests for time to file comments. Let the same be filed before the next date of hearing with advance copy to learned counsel for the petitioner.

To come up on 16.01.2024 along with C.P.No.D-5097/2023.

Acting Chief Justice

Judge

nasir