

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

Suit 37 of 2001

Date: Order with signature of the Judge

1. For hearing of CMA No.8120/2007
2. For hearing of CMA No.8121/2007
3. For hearing of CMA No.132/2014
4. For hearing of CMA No.7311/2024
5. For hearing of CMA No.7312/2024
6. For hearing of CMA No.7863/2024
7. For hearing of CMA No.7864/2024

24.09.2024

Mr. Irfan Aziz, advocate for the plaintiff
Mr. Muhammad Ali Lakhani, advocate for defendants No.2 and 3
Mr. Ali Safdar Depar, Assistant Advocate General

This suit was preferred in 2001 essentially in respect of a billing dispute with the Karachi Electric Supply Corporation. Notwithstanding the fact that billing disputes are to be escalated before the Electrical Inspector per the prescribed hierarchy, this suit remains on the docket 23 years later.

Without prejudice to the foregoing, the matter was in fact escalated before the proper forum, electrical inspector, as denoted vide the order dated 23.02.2010. The Electrical Inspector heard and adjudicated the *lis* and the same is manifest vide order dated 01.10.2011, available at page 525. The plaintiff preferred an appeal under sections 24 & 26(6) of the Electricity Act 1910, copy whereof is available at page 579, and the same is stated to be pending.

Learned counsel for the plaintiff was confronted as to how a suit was preferred, seeking to have a matter adjudicated, in the presence of a statutory forum designated for the same. He was further queried as to how this parallel suit could be maintained when the appropriate remedy was availed / being availed by the plaintiff in analogous proceedings. Learned counsel remained singularly unable to satisfy the court on either count.

In view hereof, the plaint herein is hereby rejected in exercise of powers per Order VII rule 11 CPC.

Judge

Amjad