

## IN THE HIGH COURT OF SINDH AT KARACHI

Suit 806 of 2024 : Kababjees Group  
vs. Province of Sindh & Others

For the Plaintiff/s : Mr. Naseer Nehal Hashmi, Advocate

For the Defendants/s : Mr. K.A. Vaswani,  
Assistant Advocate General Sindh  
Mr. Rajesh Kumar, Advocate

Date/s of hearing : 26.09.2024

Date of announcement : 26.09.2024

### ORDER

**Agha Faisal, J.** The present suit has been filed by the *Kababjees Group*, admittedly not a juristic legal entity. The suit seeks remedy with respect to the Sindh Food Authority, irrespective of having no demonstrable license therefrom; as required per section 19 of the Sindh Food Authority Act 2016. It is also seen that the present suit has been preferred irrespective of section 43 of the aforementioned Act, providing a forum of remedy.

Be that as it may, plaintiff's counsel was *inter alia* confronted as to how any entitlement per section 42 of the Specific Relief Act could be demonstrated by a plaintiff devoid of any legal persona. He was also confronted as to why the plaint herein may not be rejected per sub clause (a) of Order VII Rule 11 CPC for failure to demonstrate an actionable cause. Time was sought to address the issue, however, even today mere adjournment was sought.

The plaintiff is admittedly not a legal person, hence, no case of entitlement per Section 42 of the Specific Relief Act, arises and neither can any cause of action be discerned. In view hereof, CMA 11720 of 2024 is allowed; the plaint herein is hereby rejected per Order VII Rule 11 CPC.

Judge