

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

CP No.D-2515 of 2017

a/w

CP No.D-3145/2018, D-3346/2022 & D-575/2022

Date	Order with signature(s) of Judge(s)
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**Before: Salahuddin Panhwar &
Amjad Ali Sahito, JJ**

For orders as to maintainability

30th September 2024

Mr. Muhammad Usman Farooq, Advocate for the Petitioner in CP No.2515/2017.

Ch. Saeeduz Zaman, Advocate for Petitioner in CP No.D-3145/2018.

Mr. Salman Hamid, Advocate for Respondent No.10 in CP No.D-2515/2017.

Mr. Fahim Shah, Advocate for Respondent No.11 in CP No.2515/2017.

M/s. Faisal Ahmed and Mirza Zulfiqar Ahmed, Advocate for Respondent No.11 in CP No.3145/2018.

Anthony Amer, Secretary Medical Educational & Vocational Endowment (MEVE) Trust.

M/s. Rajendar Kumar and Irshad Ahmed Shaikh AAG.

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Salahuddin Panhwar, J:- In the captioned petitions, the matter pertains to 25 acres of land designated for educational purposes under a Norwegian funding program. The land was acquired by the **MEVE Trust**, but due to various reasons—likely including the deteriorating law and order situation in Karachi after the 1980s—the funding was discontinued. Consequently, the substantial portion of land originally dedicated to education has largely remained unused. At present, the Trust is utilizing the land for a small-scale home-based industry, with a minimal number of girls enrolled and a 30-bed hospital in operation. It is also on record that while a **Degree College** was constructed on the land, it has not been made operational. Similarly, the Trust entered into a Memorandum of Understanding (MoU) with an NGO, resulting in the establishment of a primary school.

2. The Petitioner's case is that the **Karachi Metropolitan Corporation (KMC)** subsequently leased out 16 plots under a scheme that was intended

for only 15 plots, and these leases were executed. The individuals claiming these leases have filed **Suit No.2299 of 2017**. However, all parties have agreed that the **Government of Sindh**, in collaboration with **KMC** and the **Trust**, should work towards establishing a public institution, such as a **Degree College** or **University**, either through the existing Trust or any other reputable NGO, such as **(TCF)**.

3. Accordingly, the **Chief Secretary of Sindh** is directed to constitute a committee with the following terms of reference:

i. The committee shall assess the legality and validity of the leases allegedly issued by the **Karachi Metropolitan Corporation (KMC)**. Specifically, the committee shall determine whether these leases were lawfully executed, cancelled, or issued in contravention of the original scheme, which designated the land for Trust purposes with the condition that it be used solely for public purposes. Based on its findings, the committee may recommend either the regularization of the leases or appropriate compensation, provided such recommendations are consistent with the applicable law.

ii. The committee shall conduct an on-site inspection of the land and thoroughly examine the reasons behind the non-functionality of the **Degree College**, which was constructed using public funds. The committee shall also evaluate whether there has been any mismanagement or neglect in making the college operational.

iii. The committee shall determine the future course of action concerning the Trust and the land allotted for public purposes. It shall engage in negotiations with the Trust to ensure the establishment of a **Forensic College, Technical University, or an Information Technology (IT) University**. This may be accomplished either through collaboration between the Government, the Trust, and any other reputable NGO, or independently by the Government or the Trust, provided the Trust demonstrates sufficient financial capacity to establish such an institution.

4. This entire exercise shall be completed within **three (3) months** from the date of the order. Furthermore, the **Chief Secretary of Sindh** shall ensure that the committee includes **two reputable members from Karachi** with a background in education, particularly those known for their philanthropic contributions.

5. It is also directed that the **use of the Church** by the Trust shall not be disturbed. Any **religious activities** or services conducted by the **Christian community** shall remain protected, and their rights of worship shall be preserved.

6. In view of the findings and reasons elaborated hereinabove, the present petitions are hereby **disposed of**. There shall be **no order as to costs** in respect of these proceedings.

JUDGE

JUDGE

Hyder/PA