

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

CP D 6229 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on CMA No.27669/2024
2. For orders on CMA No.27670/2024
3. For hearing of CMA No.27671/2024
4. For hearing of main case

**13.12.2024**

Mr. Abdul Ahad Khan, advocate for the petitioner

Present petition assails orders dated 05.08.2024 and 25.11.2024, rendered by the official respondents; the same are reproduced herein below:

**ADMINISTRATIVE ORDER:**

*All permission/NOC granted for Holding of Bachal Bazar in District Korangi Karachi, are hereby withdrawn / cancelled, with immediate effect, fill further orders.*

*In case of Non Compliance Strict action will be taken against / Organizers of Bachat Bazar owners.*

*This Issues with the approval of Competent Authority,*

Sd/-  
DISTRICT OFFICER  
DEPUTY COMMISSIONER  
DISTRICT KORANGI KARACHI

“KARACHI METROPOLITAN CORPORATION  
ENTERPRISE & INVESTMENT PROMOTION  
1<sup>st</sup> Floor. Annexe Building, KMC Head Office,  
M.A. Jinnah Road, Karachi  
No Sr.Dir/E&IP/KMC/7/34/2024 Dated: 25-11/2024

**CANCELLATION ORDER:**

*WHEREAS, this office issued temporary permission to Mr. Shahid Hussain and Muhammad Hammad Shahid vide office letter No. Sr. Dir/E&IP/KMC/1014/2024 dated 19-09-24 for organizing Friday Weekly Bachat Bazar at Akbari Eid Gha Ground Korangi No 5 ½ District Korangi on the condition that, to obtain current NOCs from Concerned relevant department i.e NOC from Deputy Commission Korangi, NOC from Senior Superintendent of Police District Korangi for speculate, time but you failed to obtain NOCs which is mandatory for organizing any bachat bazar to this office the same above temporary permission in Favor of Mr. Shahid Hussain and Muhammad Hammad Shahid for organizing Friday weekly bachat bazar at akbari Eid Gha Ground Korangi No 5 ½ District Korangi, vide **this office letter No.Sr.Dir/E&IP/KMC/1014/2024 dated 19/09/2024** is hereby withdrawn / cancelled with immediate effect.*

sd/-  
SENIOR DIRECTOR  
ENTERPRISE & INVESTMENT PROMOTION  
KARACHI METROPOLITAN CORPORATION

Learned counsel was confronted to demonstrate any vested / Constitutional right to maintain this petition and / or relevant Bachat Bazar, however, he remained unable to do so. The only document relied upon was some temporary permission granted by the K.M.C; *prima facie* akin to a mere license. Counsel also failed to assist as to how a license right, if any, could be sought to be enforced in the writ jurisdiction. Counsel was also confronted with the question of how the determination sought could be undertaken without delving in to the realm of disputed factual controversies requiring inquiry and / or evidence<sup>1</sup>. Learned counsel remained unable to assist on either count.

In view hereof, this petition is found to be *prima facie* misconceived, hence, while granting the application for urgency, the petition and the listed applications are hereby dismissed in *limine*.

Judge

Judge

Amjad

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<sup>1</sup> 2016 CLC 1; 2015 PLC 45; 2015 CLD 257; 2011 SCMR 1990; 2001 SCMR 574; PLD 2001 Supreme Court 415.