

IN THE HIGH COURT OF SINDH CIRCUIT COURT, HYDERABAD

C.P No.D-3392 of 2018

Present:

Yousuf Ali Sayeed
and Khadim Hussain Soomro, JJ

Mohsin Raza Gopang, advocate for petitioners

Ghulam Sarwar Baloch, Assistant Attorney General

Muhammad Ismail Bhutto, Additional A.G Sindh

Date of hearing : 16.12.2024

ORDER

YOUSUF ALI SAYEED, J - The Petitioners are the members of the Sindh University Employees Cooperative Housing Society, who have invoked the jurisdiction of this Court under Article 199 of the Constitution for the purpose of provision of gas to them through a pipeline and supply network to be laid by the Sui Southern Gas Company Limited.

2. However, a perusal of the petition and prayers advanced as well as the comments submitted on behalf of the SSGCL reflect that the matter essentially relates to a payment dispute as between the petitioners and the Society as well as the Society and SSGCL, inasmuch as in para-8 of the comments of SSGCL it has been stated as follows:

8. That so far as the contents of para No.9 of the petition are concerned it is submitted that on the request dated 24.05.2016 of respondent No.7 (annexure "D"), SSGC had issued a quotation dated 28.10.2016 amounting to Rs.248,913/= for supply of gas to petitioner's premises/ house No.A-186 (annexure "E"), but the payment had not been received by the respondent No.7 to date. Similarly, another quotation dated 01.04.2016 amounting to Rs.914,625/ also issued to the respondent No.7 for gasification of remaining area of said society but all in vain (annexure "F" and "G").

3. Indeed, the petitioners have themselves prayed inter-alia that the respondent No.7, being the Secretary of the Society, be directed to the pay the additional amount to SSGCL.

4. As such the dispute does not form the proper subject of a petition and the petitioners ought to avail their remedy through an appropriate civil proceeding, if so desired. The petition stands dismissed accordingly.

JUDGE

JUDGE

Sajjad Ali Jessar