

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
CP No.D-2670 of 2023

Order with signature of Judge

Fresh Case

1. For order on Misc. No.12832 of 2023
2. For order on Misc. No.12833 of 2023
3. For order on Misc. No.12834 of 2023
4. For hearing of main case

30.05.2023

Mr. Muhammad Immad Qammar, Advocate for the petitioner
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- 1]. Urgency granted.
- 2]. Exemption is granted subject to all just exceptions.
- 3-4]. This petition impugns the final notice under Section 256 of the Cantonment Act, 1924 whereby the petitioner was required to pay an amount of Rs.174,358/- on account of House Tax, Conservancy Tax and Water Charges as per the provisional bill attached which were deemed outstanding. Counsel submits that reasonable and appropriate time as required under law was not given. This could hardly be a ground to be agitated while challenging the final notice under Section 256 though final notice disclosed that earlier notices have been issued and served. They may take a legal recourse before the Board as far as challenge to the recovery and the competence of the authority is concerned. Since we do not see violation of any fundamental rights in the issuance and demanding the outstanding amount within a limited time, this petition seems to be misconceived on this count. Accordingly the same is dismissed alongwith pending application/s leaving the petitioner to exhaust a statutory recourse.


JUDGE

JUDGE