

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH KARACHI**

Constitution Petition No. D - 470 of 2025  
Constitution Petition No. D - 471 of 2025

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGES</b>
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C.P. No.D-470/2025

Direction.

1. For orders on CMA No.14709/2025 (U/O I Rule 10 CPC).
2. For hearing of CMA No.14361/2025 (Contempt).
3. For hearing of CMA No.14362/2025 (Stay).

C.P. No.D-471/2025

Direction.

1. For orders on CMA No.14708/2025 (U/O I Rule 10 CPC).
2. For hearing of CMA No.14358/2025 (Contempt).
3. For hearing of CMA No.14359/2025 (Stay).

**23.07.2025**

Mr. Hanif Faisal Alam, Advocate for the petitioners.

Mr. Ahmed Ali Hussain, Advocate for the contemnor a/w the contemnor Zulfiqar Khushk, Director General, Mines and Minerals Development.

M/s. Ahmed Masood, Aadil Channa and Muhammad Altaf, Advocates for the interveners.

Mr. Mehran Khan, A.A.G.

Syed Sahib Bokhari, Senior Law Officer and Shah Zaman Khoro, Secretary, Mines and Minerals Development.

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On the last date this Court has suspended the auction notice dated 04.07.2025 issued by the Directorate General, Mines & Minerals Development for auction of mining permits. Such order was passed on a contempt application moved by the petitioners along with stay application contending that the auction notice violates the consent order dated 13.02.2025 whereby both the petitions were disposed of with a direction to the respondents to decide pending appeals of the petitioners within thirty (30) days maximum by a decision to be effective on expiry of ten (10) days or

on availing of a remedy against it by the aggrieved party. The appeals were filed against the Notification refusing to renew the mining permits of the petitioners.

Today the alleged contemnor namely Zulfiqar Khushk, the Director General, Mines and Minerals Development has placed on record copies of orders passed as far back as on 16.05.2025 disposing of the appeals of the petitioners. Learned counsel for the respondents therefore submit that the listed application and the interim order passed thereon was obtained by misrepresentation. They further submit that in any case, the land for which mining permits were granted to the petitioners is not the subject matter of the auction notice dated 04.07.2025. They have also draw attention to rule 65 of the Sindh Mines and Minerals Governance Act, 2021, which envisages that grant of certain rights under the Act, including mining permit is to be allowed by the licensing authority by inviting competitive bids through open auction, and therefore the auction notice is not contrary to the order of the Hon'ble Supreme Court in C.P. No.763-K of 2021.

On the other hand learned counsel for the petitioners submits that the orders in the appeals of the petitioners were never communicated to them, and in fact those have been back dated; that in any case there is a distinct between a mining permit and other licenses granted under the said Act and Rules and that a procedure of an open auction set-out in Rule 66 of the Rules does not apply to a mining permit.

It is suffice to say that the listed applications were entertained by this Court on the representation that the respondent shall decide

the pending appeals of the petitioners which violate the disposal order of this Court dated 14.02.2025. Apparently, those appeals were decided on 04.06.2025. Rule 65 of the Rules also clear in issuance of mining permit by way of open auction. Therefore, prima facie the listed application has no force. The submissions, however, made by the learned counsel for the petitioners may be grounds for a fresh petition for which he is free to file. With these observations the listed applications are dismissed and the interim orders stands vacated.

JUDGE

JUDGE

*Nadeem Qureshi P.A.*