

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

C.P. No. D – 995 of 2010  
[Pakistan Refinery Limited v. Govt. of Sindh & others]

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE(S)</b>
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**Mr. Justice Adnan-ul-Karim Memon**  
**Mr. Justice Zulfiqar Ali Sangi.**

**Date of hearing and order:-07-04-2026**

Mr. Mansoor Shaikh, Advocate for the Petitioner.  
Mr. Rehan Waleed Khanzada, Advocate for the KW&SC alongwith  
Mr. Masroor Ahmed, Advocate and Mr. Sarfaraz, Deputy Director.  
Mr. Safdar Ali Depar, AAG Sindh.

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**ORDER**

**Adnan-ul-Karim Memon, J**      The Petitioner seeks following relief(s):

1. *A declaration that Respondent No.2 has no authority to levy or recover sewerage, conservancy, or fire charges.*
2. *A declaration that Respondent No.2 cannot disconnect or disrupt the Petitioner's water supply while legitimate water dues are paid.*
3. *Directions for refund of amounts paid under protest or coercion, including Rs. 5,529,521, Rs. 7,129,575 (1990–1995 sewerage charges), and Rs. 16,457,238 (fire charges).*
4. *A permanent injunction restraining Respondent No.2 and its agents from interfering with the Petitioner's water supply.*
5. *Any further relief deemed just and proper by the Court.*

2.      Petitioner Pakistan Refinery Limited has filed this petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking the aforesaid relief(s).

3.      The learned counsel for the Petitioner submitted that the Petitioner, established in 1960, is a publicly listed company and one of Pakistan's leading oil refineries, supplying petroleum products to domestic markets, including the Pakistan Armed Forces, Pakistan Railways, airlines at Karachi's Jinnah International Airport, and other oil marketing companies. The Petitioner has a refining capacity of 47,000 barrels per day, and its operations are critical to national supply. The Petitioner's counsel highlighted that Respondent No.2, constituted under the Karachi Water & Sewerage Board Act, 1996 ("KWSB Act"), has authority only to levy charges for water and sewerage services actually provided. However, no sewerage connection has ever been installed at the Petitioner's premises, and sewerage services have never been rendered. Despite this, Respondent No.2 unlawfully billed the Petitioner for sewerage, conservancy,

and fire charges, which fall outside its legal authority. It is urged that the Petitioner, which is located within the jurisdiction of Respondent No.3 under the Cantonment Act, has been paying all applicable conservancy dues to Respondent No.3. Similarly, the Petitioner has invested in its own effluent treatment and fire-fighting systems, complying with environmental and safety standards. He added that despite repeated objections and legal notices, Respondent No.2 continued issuing bills and, under threat of disconnecting water supply, coerced the Petitioner into paying Rs. 5,529,521 towards merged water and sewerage charges in 2009 and Rs. 16,457,238 for fire charges in 2010, both payments being made under protest and duress. However, respondent No.2 has since continued to raise unlawful claims, threatening disconnection, despite the Petitioner paying all legitimate water charges. The Petitioner's counsel submitted that such actions by Respondent No.2 are unlawful, coercive, and exceed its jurisdiction under the KWSB Act, and violate constitutional safeguards, including the requirement that taxes be levied only under lawful authority. He prayed to allow this petition.

4. During proceedings, learned counsel for Respondent KW&SB clarified that no sewerage charges would be claimed against the Petitioner.

5. We have heard the learned counsel for the parties and perused the record with their assistance.

6. In such circumstances, primarily, the Petitioner provides services critical to national security and public interest; any disruption caused by unlawful disconnection could have catastrophic consequences. This Court, accepting KW&SB's statement that no sewerage charges would be claimed, rightly aligns with statutory limits, the principles of natural justice, and constitutional safeguards, particularly Articles 4, 4A, 77, and 127, which require that taxation and levies be imposed only under lawful authority.

7. The KW&SB's statement is that no sewerage charges will be claimed.

8. Learned counsel for the petitioner seeks the disposal of the petition in such terms that no sewerage charges shall be claimed by the KW&SC.

9. This proposal, so put forward by the parties, seems to be reasonable and acceded to, and by consent of the parties, this petition stands disposed of in terms of the statement so made by the Officer of KW&SC present in Court along with his counsel.

**JUDGE**

**JUDGE**