

IN THE HIGH COURT OF SINDH KARACHI

CP No.D-4409 of 2025

(Mussavir Khan and others v. Cantonment Board Clifton and others)

CP No.D-6047 of 2025

(Muhammad Shoaib and others v. Cantonment Board Clifton and others)

Date	Order with signature(s) of Judge(s)
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Before:

Justice Muhammad Saleem Jessar

Justice Nisar Ahmed Bhanbhro

1. For orders on office objection
2. For hearing of CMA No.25347/2025
3. For hearing of CMA No.25348/2025
4. For hearing of CMA No.18302/2025
5. For hearing of main case

Date of hearing and order: 21.01.2026

M/s. Muhammad Saleem Larik and Immaduddin Langah, advocates for the petitioners

Mr. Muhammad Usman Ahmed, advocate for the respondent Cantonment Board Clifton

Ms. Zahrah Sehr Vayani, Deputy Attorney General

ORDER

Nisar Ahmed Bhanbhro, J. Since both the petitions involve common questions of law and fact, we propose to decide them through a single order.

2. It is the case of the petitioners that they were engaged in the business of auto repair, car mechanics, car A/C repair, workshops, car showrooms, car accessories batteries. Cantonment Board Clifton (CBC) through notices dated 11th July, 2025 & 04th July, 2025 (available at Pages 179 to 231 of the Court's file of CP No.D-4409 of 2025) had directed them to close workshop business on account of nuisance on failure to comply with notices shops were sealed.

3. Pursuant to the earlier orders, the shops of the petitioners were de-sealed. Officers of CBC who are present in Court contended that the petitioners were doing business on the public streets, which caused nuisance, as such, action in terms of Section 118, 210, 211, 213, 118 and 268-A of the Cantonments Act, 1924, was initiated and shops were sealed.

4. When confronted with the above factual position, learned counsel for the petitioners undertakes that the petitioners shall not cause any nuisance in the public streets and roads and will carry on business activities within the premises of respective shops, to which counsel for CBC concedes.

5. These petitions, in view of the above undertaking, are *disposed of* with the observation that the petitioner shall furnish an undertaking with CBC that they will not cause hindrance or any nuisance over the public streets or roads and will carry on business activities within the premises of concerned shops. In case the petitioners violate the said undertaking, the respondent CBC shall be at liberty to close business activities of the petitioners by following due course of law.

JUDGE

JUDGE
HEAD OF CONST. BENHCES

Nadir*