

**IN HIGH COURT OF SINDH, CIRCUIT COURT
HYDERABAD**

C.P No. D-1991 of 2025

[Muhammad Naveed v. Province of Sindh & another]

Before:

Mr. Justice Adnan Iqbal Chaudhry

Mr. Justice Riazat Ali Sahar

Petitioner: Muhammad Naveed through Mr. Sajjad Ali Memon advocate who holds brief for Mr. Masood Rasool Babar Memon, Advocate

Respondents: Mr. Muhammad Ismail Bhutto, Additional A.G. Sindh along with Inspector Manzoor Ali on behalf of SSP Hyderabad DSP Dawood Rahu on behalf of S.P. Traffic, SIP Aijaz Ali Dahri PS Market Hyderabad, Azam Hassan Incharge Market S.O. Market, Allah Dino R.T.A. Office Assistant.

Mr. Yar Muhammad Consultant Legal Transport Mass Transit Department.

Intervener: Imran Junejo through Mian Taj Muhammad Keerio, Advocate.

Date of Hearing 15.04.2026

Date of Order 15.04.2026

ORDER

RIAZAT ALI SAHAR, J. Through this order, we intend to dispose of the captioned petition, wherein the petitioner seeks directions for the immediate removal of illegal bus/van stands (“Bus Adda”) operating in Hirabad, Hyderabad, and to restrain transporters from running such stands without lawful authority within the city and residential areas. The petitioner has further sought enforcement through undertakings and an inquiry by a judicial officer.

2. The petitioner has invoked the constitutional jurisdiction of this Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, in public interest, alleging widespread illegal operation of bus/van stands in the area of Hirabad, particularly near Shalimar Cargo and Bakra Mandi, Hyderabad City. It is contended that such unauthorized stands are being operated by an influential “**transport mafia**” in violation of the relevant transport laws, resulting in severe traffic congestion, noise pollution, and public

nuisance. It has further been asserted that these activities give rise to law and order issues and pose serious threats to public safety, especially for pedestrians and school-going children.

3. The petitioner submits that despite repeated complaints and applications to the concerned authorities, no effective action has been taken, allegedly due to negligence or connivance on the part of local administration and police. It is further stated that such illegal operations are in clear violation of the Motor Vehicles Ordinance and the Sindh Motor Vehicles Rules, and that prior orders of this Court prohibiting illegal transport stands have been disregarded. The inaction of the authorities is thus claimed to be discriminatory and violative of the fundamental rights guaranteed under the Constitution.

4. Conversely, the respondents have denied the allegations, terming the same as false and misconceived. It has been stated that only authorized public transport stands exist, where limited pick-and-drop activity takes place without causing obstruction. The Secretary, Provincial Transport Authority, has also raised a preliminary objection regarding maintainability of the petition on the ground of disputed questions of fact and the availability of alternate remedies. It is further contended that action has already been taken against illegal stands and that only duly sanctioned stands are permitted to operate.

5. We have heard the learned counsel for the parties and have perused the available record. It is manifest from the statements of the Consultant Legal, Transport & Mass Transit Department, and the Secretary, Regional Transport Authority, Hyderabad, that only two public transport addas are operating under valid permits, whereas the remaining stands are functioning illegally, allegedly under the patronage or due to inaction of the local authorities. This position clearly establishes the existence of unauthorized transport operations in violation of the applicable legal and regulatory framework, thereby causing public inconvenience and undermining the rule of law.

6. It further transpires that the statutory responsibility squarely rests upon Respondent No.2 (Secretary Transport/Chairman, Provincial Transport Authority, Karachi) and Respondent No.8 (Secretary, Regional Transport Authority, Hyderabad) to regulate, supervise, and ensure that no vehicle adda operates without lawful

permission. Their failure to curb such illegal activities amounts to negligence in the discharge of official duties and non-compliance with statutory obligations. Furthermore, Rule 240 of the Motor Vehicles Rules, 1969 mandates that no stage carriage shall halt in an urban area for more than five minutes consecutive for the taking up or setting down of passengers or at any time during the course of a run except at stand. This requirement has not been effectively enforced, contributing to traffic congestion, public nuisance, and safety hazards. It is also noted that no permanent public transport adda or bus stand is permissible within Hyderabad City; therefore, all such unauthorized stands are liable to be closed forthwith.

7. In these circumstances, it is imperative to ensure strict enforcement of the law through coordinated action. Accordingly, the Deputy Inspector General of Police, Hyderabad Range, Senior Superintendent of Police, Hyderabad and the Superintendent of Police, Traffic, Hyderabad, are directed to extend full assistance and support to the transport authorities for effective implementation of these directions, removal of illegal vehicle addas, and maintenance of public order. To ensure compliance in letter and spirit and to maintain accountability, the concerned authorities shall act proactively and submit periodic (monthly) compliance reports before this Court through the Additional Registrar, demonstrating concrete steps taken for the elimination of unauthorized transport stands and enforcement of the relevant legal provisions.

8. The instant petition stands **disposed of** in the above terms. All pending application(s), if any, also stand disposed of.

9. Let a copy of this order be transmitted to the Deputy Inspector General of Police, Hyderabad Range, Senior Superintendent of Police, Hyderabad, Superintendent of Police, Traffic, Hyderabad, and Secretary, Regional Transport Authority, Hyderabad, for strict compliance and submission of report through the Additional Registrar of this Court.

JUDGE

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