

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-616 of 2011

Date	Order with signature of Judge
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Priority.

1. For hearing of Misc. No.16953/2012.
2. For hearing of Misc. No.2523/2011.
3. For hearing of main case.

05.10.2026.

Mr. Abdul Sattar Pirzada, Advocate for the Petitioners
alongwith Mr. Mamoon Chaudhry, Advocate.
Mr. Agha Shahzaib, Assistant Advocate General Sindh.

The Petitioners have impugned a Letter dated 24.02.2011 issued by the Secretary, Industries & Commerce Department, Government of Sindh, cancelling the NOC dated 21.10.2010, issued by the Deputy Director of that very Department for the setting up of a 12000 TCD sugar mill at Deharki, District Ghotki.

The main ground advanced by the Petitioner is that they could not be summarily divested of the right to conduct business through cancellation of the NOC without an opportunity of being heard.

On query posed to the learned Assistant Advocate General Sindh as to whether any Show-Cause Notice had been issued prior to the impugned Letter or whether the Petitioners had otherwise been afforded any opportunity of hearing, he conceded that no such measure had been taken.

Under such circumstances, it is manifest that the impugned Letter suffers from a grave procedural impropriety inasmuch as its issuance offends the basic principle of natural justice that no man ought to be condemned unheard, as enshrined in the maxim *audi alteram partem*.

That being so, the Petition is allowed with the impugned Letter being set aside, leaving the Respondents at liberty to embark upon fresh proceedings in accordance with law, if so desired, while properly adhering to the requisites of law and procedure.

JUDGE

JUDGE

MUBASHIR