HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-865 of 2026
[Ali Raza Dahri Vs. Province of Sindh & others]

Before:
JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE MUHAMMAD JAFFER RAZA

Petitioner:	By Mr. Aijaz Ali Bhutto, advocate.
Respondents	By Mr. Rafiq Ahmed Dahri, Assistant Advocate General and Mr. Ghulam Abbas Sangi, Assistant Attorney General.
Date of hearing	21.10.2026
Date of Decision	21.10.2026

O R D E R

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ADNAN-UL-KARIM MEMON, J:- The petitioner has filed this constitutional petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 seeking direction to respondents to de-seal his petrol pump.

2. Learned counsel for the petitioner submits that the petitioner is the lawful proprietor of HASCOL Petroleum Limited, M/s Shaheed Ali Asghar Dahri, situated at Survey No.78, Deh Allah Khahee, Tappo Kazi Ahmed, near Daulatpur Bypass, District Shaheed Benazirabad. He submits that although the storage license could not be renewed in time, the competent authority, Ministry of Energy (Petroleum Division), Government of Pakistan, subsequently renewed the same under Form "K" of the Petroleum Rules, 1937, vide Letter No. HYD-3231-32/P. The Ministry also communicated the approval to the Deputy Commissioner, Shaheed Benazirabad, for necessary action. However, Respondent No.4, Assistant Commissioner, has failed to de-seal the petrol pump despite renewal of the license. It is contended that the continued sealing of the premises is without lawful authority, arbitrary, discriminatory and actuated by mala fide and political considerations, resulting in financial loss and infringement of the petitioner's fundamental rights guaranteed under Articles 4, 9, 23, 24 and 25 of the Constitution. Despite repeated requests, the respondents have failed to redress his grievance. The petitioner, therefore, seeks a declaration that the continued sealing is illegal and a direction for immediate de-sealing of the petrol pump to enable him to resume lawful business, along with compliance with the directions issued by the competent Federal authority.

3. Learned AAG submits that the petitioner or his duly authorized officer may appear and produce renewed “K” Form duly received from the Ministry of Energy (Petroleum Division) before respondent No.3 and his case will be considered in terms of “K” Form, thereafter the subject petrol pump shall be de-sealed in accordance with law. The petitioner submits copies of the Explosives Authority license dated 16.03.2011 and its 2026 renewal for placement on record and copies of the registered lease deed and the No-Objection Certificate issued by the Administrator, District Government Shaheed Benazirabad, for placement on record.

4. In view of the statement made by the learned AAG, the petition is disposed of with the direction that the petitioner or his duly authorized representative shall appear before respondent No.3 and produce the renewed Form “K” license issued by the Ministry of Energy (Petroleum Division), Government of Pakistan. Respondent No.3 shall verify the license and consider the petitioner’s case in accordance with law and the applicable rules, and, upon verification of the valid license and fulfilment of the requisite legal formalities, ensure de-sealing of the petrol pump in accordance with law.

5. The petition is disposed of accordingly, without expressing any opinion on the merits of the case.

J U D G E

J U D G E

Irfan Ali