

Presented on 17/10/2023.

IN THE HONOURABLE HIGH COURT OF SINDH AT KARACHI

at 09:35 AM

Suit No. 1557 of 2022

M/s Homeland Enterprises
An Association of Persons
Operating under the laws of Pakistan
Through Hakim Ali Jiskani
Its Authorized Partner
Having Office at
Flat No. A/204, 2nd Floor, Wonder Tower,
Opposite Sindhubad Park, Near NIPA Bridge,
Gulshan-e-Iqbal, Karachi

1836

Plaintiff

Versus

1. Province of Sindh
Through its Chief Secretary,
Tughlaq House, Sindh Secretariat,
Karachi
2. Mines & Minerals Department
Through Director General,
St-19/1, Block No. 6,
Gulshan-e-Iqbal, Main University Road,
Karachi
3. District Council Jamshoro
Through its Administrator,
Gulshan-e-Shahbaz Colony,
Near Toll Plaza Jamshoro,
Jamshoro
4. Chief Officer
District Council Jamshoro
Gulshan-e-Shahbaz Colony,
Near Toll Plaza Jamshoro,
Jamshoro
5. M/s Ranata
A company operating
Under the laws of Pakistan,
Having its Office at
C-704, Beach Blessing,
Block 2, Clifton,
Karachi

Defendants



Suit for Declaration, Cancellation and Permanent Injunction

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Sult No.1557 of 2022

DATE: ORDER WITH SIGNATURE(S) OF JUDGE(S).

1. For orders on CMA No.15330/2022
2. For orders on CMA No.15331/2022

17.10.2022

Mr. Ahmed Masood, Advocate for the Plaintiff.

1. Granted.

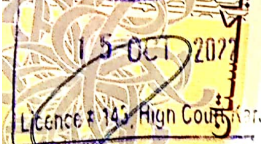
2. To a specific query, learned counsel for the Plaintiff states that since present suit involves fiscal matter for collection of Royalty, therefore, this Court has jurisdiction. This aspect will be considered on the next date. He then referred to the award of Royalty Collection Rights given to Plaintiff by Official Defendant No.1, vide Correspondence dated 30.06.2022 (*Annexure A/2*, page-25). He states that subsequently, for the same subject matter, that is, Collection of Royalty Rights on Surface Minerals, viz. Reti / Bajri, Aggregate Stone, Ordinary Stone, Limestone, Gravel, Ordinary Sand, Mouram, Marble and Silica Sand in District Dadu-Jamshoro for the financial year 2022-23, Defendant No.5 has been awarded contract by Defendant No.4, which is violative of Section 100 of the Sindh Local Government Act, 2013, without any advertisement; apprehends that contract of Plaintiff would be cancelled soon. Contention of counsel *prima facie* appears to be correct.

Issue summons and notice to the Defendants as well as learned Advocate General Sindh, by all modes excluding publication, but including electronic mode, for 01.11.2022 (to be fixed as per roster). Till the next date of hearing, no coercive measures should be taken against the Plaintiff. Defendants will submit the proper accounts of the collection made so far by Defendant No.5, for consideration of this Court and passing of appropriate order(s).

Sh. Muhammad Faizal (and Son)

Judge

Riaz / P.S.



PAKISTAN
COURT FEE