

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**Const. Petition No.D-1156 of 2022**  
**a/w C.P.Nos.D-1024 & 6962 of 2021 and 5131/2022**

Date	Order with signature of Judge
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**10.04.2023:**

Mr. Anwar Mansoor Khan along with Zeeshan Bashir Khan, advocates for the petitioner in C.P.No.D-1156/2022.

M/s. Syed Muhammad Yahya & Rukhsana, advocates for petitioner in C.P.No.D-1024/2021.

Mr. Jibran Nasir, advocate for the petitioner in C.P.No.D-6962/2021.

Mr. Tahmasp Rasheed Razvi, advocate for the petitioner in C.P.No.D-6131/2022.

Syed Zaeem Hyder, advocate for the respondent/CBC.

Mr. Zain A. Soomro, advocate for respondent No.5.

Mr. Miran Muhammad Shah, Addl. A. G. Sindh.

Mr. Muhammad Qasim, DAG.

Learned counsel for the petitioners have sought urgency on the ground that petitioners during the month of Ramazan are facing scarcity of water, whereas, inspite of specific order, passed by the Divisional Bench of this Court in the case of *Rukhsana Yahya v. Federation of Pakistan through Secretary Ministry of Defence and 4 others* (2017 CLC 1129), whereby, Cantonment Board was directed not to charge the water tax/charges from the persons who are not being supplied water through water supply line, whereas, alternatively, Cantonment Board was directed to supply five (05) water bowsers of 1000 Gallon each, per month (500 sq. yards House), provided the payment of water tax/charges are regularly paid by the petitioner/owners. It has been further submitted that in one of the petitions in the instant bunch i.e. C.P.No.D-1156/2022 similar orders have been passed on 25.02.2022, however, the other petitioners are not being supplied water bowsers in terms of above orders, therefore, they are being discriminated and have to pay huge amount to private tanker



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Mafia operating in the area. It has been further contended by the learned counsel for petitioners that during pendency of instant petitions, the petitioners have come to know, that there is serious short fall towards supply of water to the residents of DHA, as according to learned counsel, main supply line from Chakra Goth to Ittehad has been damaged/leaked from various places, whereas, there are also complaint of water theft by unscrupulous persons from the main water supply line, however, respondents are not taking any action against them, on the contrary, water tankers are being supplied by charging exorbitant amount in violation of Court's orders as referred to hereinabove. Learned counsel for the respondent/CBC present in Court have denied the allegations of charging exorbitant amount by the CBC or any violation of Court's order as alleged by the petitioners, however, requests for time to seek instruction in this regard.



By consent, adjourned to 26.04.2023, when reply/comments, if not filed so far, be filed before the next date with advance copy to the learned counsel for petitioners. In the meanwhile, interim order passed in Const. Petition No.D-1156/2033 shall apply mutatis mutandis in the connected petitions as well, whereas, there shall be no discriminatory treatment meted out to the petitioners. Respondents shall also ensure that necessary steps shall be taken to repair the damaged/leaked main water supply line, whereas, all the illegal unauthorized connections shall be disconnected to prevent water theft so that water may be supplied to the lawful consumers, who are making payment of water tax/charges regularly.

Nadeem

Sd/- Sajid Ahmed Abbasi  
Judge -  
Sd/- Mahmood A. Khan  
Judge