

## IN THE HIGH COURT OF SINDH AT KARACHI

Suit No. 743 of 2012

(824)

1. HinoPak Motors Ltd.  
having its office at  
D-2, S.I.T.E, Manghopir Road,  
Karachi.
2. Master Motor Corporation Ltd.  
having its office at  
Plot No. D-58 & D-59,  
NWI Zone, Port Qasim,  
Karachi.
3. Ghandhara Nissan Limited  
having its office at  
Ghandhara House,  
109/2, Clifton, Karachi.
4. Ghandhara Industries Ltd,  
having its office at  
F-3, Hub Chauki Road,  
S.I.T.E,  
Karachi.....Plaintiffs

Versus

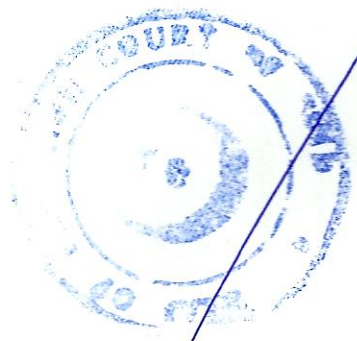
1. Federation of Pakistan,  
through the Secretary,  
Ministry of Climate Change,  
Islamabad.
2. Pakistan Environmental Protection Agency,  
Through its Director General,  
Government of Pakistan,  
Islamabad.
3. Ministry of Petroleum & Natural Resources,  
Through the Secretary,  
Government of Pakistan,  
Islamabad
4. Engineering Development Board,  
Through its Chief Executive,  
1st Floor, SEDC Building (STP),  
Constitution Avenue, F-5/1,  
Islamabad.  
with regional office at



2<sup>nd</sup> Floor, PIDC House,  
Dr. Ziauddin Ahmed Road,  
Karachi.

5. Environment & Alternative Energy Department,  
Government of Sindh,  
through its Director, Plot No ST/2/1, Sector-23  
Korangi Industrial Area  
Karachi.....Defendants

**SUIT FOR DECLARATION AND PERMANENT INJUNCTION**



ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
Suit No. 743 of 2012

Date

Order with signature of Judge

1. For orders on CMA 6457/12
2. For orders on CMA 6458/12

Dated: 26.06.2012

Mr. Khalid Jawed Khan for the plaintiffs.

1) Granted.

2) It is submitted by the learned counsel that in terms of SRO No.72(KE)/2009, annexed with the plaint as Annexure D/1, the deadline for manufacturing of the diesel engine vehicles was 01.07.2012 in terms whereof the diesel of Pak-II standard was made inevitable. However, per learned counsel in order to meet such standard the appropriate testing facilities are not provided by defendants No.1 and 2. It is further submitted that compatible diesel is also not made available by defendant No.3. Importantly the Oil Marketing Companies have also issued letters wherein it was categorically submitted that the availability of such diesel would not be possible by this deadline. Learned counsel submits that the plaintiffs apprehend that in case they continue to manufacture such diesel engine vehicles, their certificate issued by the Engineering Development Board would not be extended. Learned counsel has also placed reliance on the case of Government of Punjab V. Ijaz Hasan Qureshi (PLD 1985 SC 28). In view of the above issue notice to the defendants for 12.07.2012. In the meantime the operation of the impugned SRO bearing No.72(KE)/2009 to the extent of diesel engine is suspended.



*Handwritten signature: M. Shafi Gulzar*  
*Handwritten signature: J. Khan*  
JUDGE



CERTIFIED TO BE TRUE COPY

*Julia*

28/06/2012

**URGENT REQUEST**

*28/06/2012*

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*28/06/12*

*Julia*

28/06/2012

**URGENT REQUEST**