

*Order Sheet*  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD  
C.P. No. D-1739 of 2022

DATE \_\_\_\_\_ ORDER WITH SIGNATURE OF JUDGE(S) \_\_\_\_\_

For orders on M.A. No.785/2023 (urgency).

02.02.2023

Mr. Imam Ali Chang advocate for the petitioner.  
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Through this application the petitioner has prayed that this matter may be treated as an urgent matter and orders be passed by this Court for hearing of the main petition on urgent basis. This is a stereotypical application and no reason or ground whatsoever is disclosed therein for treating the matter as an urgent one and or giving priority to it over thousands of other cases pending before this Court. Moreover, the affidavit filed in support of the application has been sworn by the counsel for the petitioner and not by the petitioner himself. The object and requirement of filing an affidavit in support of an application is to swear on oath that the fact(s) stated or allegation(s) made in the application by the applicant / deponent is/are correct and true. It is not permissible in law that an application is filed by one person and the affidavit filed in support thereof is sworn by another person stating that the fact(s) stated or allegation(s) made in the application are correct and true. In such a situation, the contents of the application cannot be deemed to have been sworn on oath. For both the above reasons, the listed application is dismissed.

We are constrained to observe that the office should have been vigilant and should not have entertained the application. Office is directed NOT to entertain any application for urgent hearing in future wherein the ground of urgency has not been specifically pleaded and or which is not supported by the personal affidavit of the party making such application ; except for those cases wherein the party concerned is in custody / jail. In case of any other disability, the affidavit of the duly constituted attorney (not being its counsel) / authorized representative (in case of companies, corporations, Government departments) of the party may be accepted.