

ORDER SHEET  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

C. P. No.D- 1108 of 2025 a/w  
C.P. No.D- 88 of 2025  
C.P. No.D- 1086 of 2025 (disposed of)

Date of hearing	Order with signature of Judge
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- 1. For orders on O/objections at flag 'A'
- 2. For hearing of CMA 415/2025 (S/A)
- 3. For hearing of main case

**22.07.2025**

Mr. Ali Akbar Shar, Advocate for petitioner.  
Syed Zafar Ali Shah, Advocate for petitioners in C.Ps No.D-88 & 1086 of 2025.  
Mr. Agha Athar Pathan, Assistant A.G a/w Asadullah, DSP City Khairpur, SIP Gulzar on behalf of SSP, Khairpur and Niaz Hussain, Focal Person on behalf of Deputy Commissioner, Khairpur.

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In CP.No.D-1108 of 2025, counsel for petitioner places on record copy of letter dated 16.07.2025 issued by D.C, Khairpur under the cover of his statement dated 22.07.2025, taken on record. In said petition learned AAG files joint compliance report on behalf of D.C, Khairpur Mirs and SSP, Khairpur Mirs, taken on record.

2. Initially Syed Ali Raza Shah filed C.P.No.D-88 of 2025, whereby he challenged letter dated 26.07.2024, which is reproduced as under:-

OFFICE OF THE DEPUTY COMMISSOINER, KHAIRPUR  
No. JB/856/2024 Khairpur, Dated 26.07.2024.

To,  
The Commissioner, Sukkur,  
Division, Sukkur.

SUBJECT: **PUBLIC GRIEVANCE**  
Reference: Your good office letter No.0-1-15-/1.C/2024 dated 12.07.2024.

With reference to the above reference complaint, it is submitted that the annual procession of 25<sup>th</sup> Muharram is a traditional procession carried under the supervision of Organizer (Zawar Syed Nasir Ali Shah). Copies of contingency plan / scrutiny plan issued by Senior Superintendent of Police Khairpur reflecting above position are enclosed for reference.

It is therefore, requested that the application of Syed Ali Raza Shah s/o Syed Safdar Ali Shah is without justification as desired.

DEPUTY COMMISSIONER  
KHAIRPUR

C.C.TO:  
1. The Section Officer (IS-II), Home Department, Karachi.

3. Subsequently, same petitioner (Syed Ali Raza Shah) filed another C.P.No.D-1086 of 2025 claiming to be Bani of procession of 25<sup>th</sup> Muharram-ul-Haram at village Doonhon Baberloi-Khairpur. The cause of action and relief to be sought in both petitions is almost same regarding "**Baniship**" of procession of 25<sup>th</sup> Muharram-ul-Haram at village Doonhon Baberloi-Khairpur.

4. In second phase on 16.07.2025, Syed Nasir Ali Shah filed C.P.No.D-1108 of 2025. He also claimed to be **Bani** of procession of 25<sup>th</sup> Muharram-ul-Haram at Baberloi-Khairpur on the basis of letter dated 26.07.2024 (supra).

5. Comments were filed by Deputy Commissioner, Khairpur in C.P.No.D-88 of 2025 under the cover of statement of learned AAG dated 07.04.2025, whereby in paras-4,5&6, it has been mentioned as under:

"4. That the contents of the Para No.4 of the petition, are also denied, as the petitioner move a new Application to the Secretary, Home Department Govt. of Sindh for issuance of regular permit of religious procession on 25th Muharam-ul-Haram at Village Doonhon Baberloi Taluka and District Khairpur, but he is twisting and manipulating the actual facts, same the evident from his own application letter dated:26.07.2024, that the organizer of procession of 25th Muharam-ul-Haram at Baberloi is Syed Nasir Ali Shah, therefore no justification arises to file the instant petitioner, which is only filed to put undue pressure for issuance of a fresh permit in his favour, which is not permissible, as already the above named regular organizer is organizing annually the 25th Muharram procession peacefully since ages.

5. That the contents of para-No.5 of the petition, are already replied in para-No.4 above, furthermore the record transpires that Nasir Ali Shah is the organizer of Religious Procession of 25th Muharam-ul-Haram at Baberloi Taluka and District Khairpur.

6. That the contents of para-No.6 of the petition are denied, as per record, of the District Administration and law enforcement agencies, the organizer of procession of 25th Muharam-ul-Haram at Beberloi is Syed Nasir Ali Shah, who has also been awarded several appreciation certificates and letters of acknowledgement for his valuable community services".

6. A letter dated 26.07.2025 (supra) and parawise comments dated 07.04.2025 furnished by the Deputy Commissioner, Khairpur, reflect that Syed Nasir Ali Shah has been the *Bani* of the procession of 25<sup>th</sup> Muharram-ul-Haram at village Doonhon Baberloi, District Khairpur, since long. Therefore, the claim of Syed Ali Raza Shah in C.Ps. No.D-88 and 1086 of 2025 appears to be misconceived and unjustified. However, in order to ensure the smooth conduct of the said religious procession and to prevent any untoward incident, the Commissioner, Sukkur, is directed to call both parties within one month and prepare a permanent roadmap regarding the

management and organization of the 25<sup>th</sup> Muharram-ul-Haram procession at village Doonhon Baberloi, District Khairpur. Compliance report shall be submitted to this Court through the Additional Registrar.

7. In view of above, C.Ps No.D-88 and 1108 of 2025 are **disposed of** in the above terms along with pending application(s); whereas, petition No.D-1086 of 2025 was already disposed of vide order dated 15.07.2025.

8. Before parting with this order, it has been noticed upon perusal of memo of petition No.D-1086 of 2025 that Syed Ali Raza Shah (petitioner) and his counsel therein failed to disclose the factum of filing and pendency of his earlier petition, C.P. No.D-88 of 2025. Consequently, both learned counsel, M/s Syed Zafar Ali Shah and Athar Hussain Abro, obtained the order dated 15.07.2025 through deliberate misrepresentation and concealment of material facts, which *prima facie* constitutes a serious act of professional misconduct and grave indiscipline before this Court.

9. When confronted, Syed Zafar Ali Shah, Advocate for petitioner in connected matters has not been able to satisfactory respond but he admitted about the pendency of C .P.No.D-88 of 2025, which was filed by them with regard to same controversy and he has not mentioned such facts in subsequent C.P.No.D-1086 of 2025.

10. In the circumstances, we deem it appropriate and in order to uphold the dignity of the judicial process and the ethical standards expected from members of the legal profession under the Legal Practitioners and Bar Councils Act, 1973, to issue a strict warning to both learned Advocates to remain cautious and conduct themselves with due decorum and professionalism in future. Order accordingly.

*Office to place a signed copy of this order in captioned connected matters.*

J U D G E

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Ahmad/PS