

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No. D- 95 of 2025

[Muhammad Irfan Vs. Province of Sindh & others]

Before:

Mr. Justice Muhammad Saleem Jessar

Mr. Justice Nisar Ahmed Bhanbhro.

Haji Jan Muhammad advocate for the petitioner a/w attorney of petitioner.

Date of hearing

& Decision:

27.10.2025.

ORDER

NISAR AHMED BHANBHRO, J - Through this petition, the petitioner has sought the following reliefs:-

“(a) That in the light of admissions of respondent Nos. 4 and 6 before the respondent No. 5, impugned order passed by respondent No. 5 in Complaint No.POS/1193/2021 of Petitioner, declare null, void, having no legal effect / sanctity in the eyes of law.

(b) To direct the respondents Nos. 1 to 4 & 6 to pay total amount of Rs.29,83,497/- (Twenty Nine Lac, Eighty Three Thousands, Four Hundred Ninety Seven Only), in respect of WORK ORDERS as mentioned at para No.4 of this petition, SUPPLY ORDERS as mentioned at para No. 05 of this petition, and WORK ORDERS as mentioned at para No. 14 of this petition to the petitioner named above.

(c) Cost of the petition be saddled upon the respondents.

(d) Any other relief which this Honourable Court deems fit, just and proper may also be awarded to the petitioner.”

At the very outset, learned counsel for the petitioner was directed to satisfy the Court as to how this petition, regarding payment of alleged contractual liabilities, is maintainable under Article 199 of the Constitution, as the issue involved requires recording of evidence. Learned counsel for the petitioner contended that official respondents have taken work from the petitioner, therefore they are liable to pay the outstanding amount.

Heard arguments and perused the material available on record.

No doubt, the respondents are officials of a Government Department and perform functions in connection with the affairs of the Province of Sindh, but the issue involved in the present *lis* pertains to adjudication of contractual obligations,

which requires evidence and is barred under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973. This Court cannot entertain matters involving factual controversies.

Consequently, this petition, being devoid of merit, is hereby dismissed along with pending applications. However, the petitioner may avail appropriate remedy available to him under the law, if so advised.

J U D G E

J U D G E

Irfan