

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C.P No.D-1668 of 2025

(Zeeshan Ali v. P.O Sindh and others)

Present;

Mr. Justice Zulfiqar Ali Sangi;

Mr. Justice Riazat Ali Sahar;

Petitioner: Zeeshan Ali son of Imam Bux **(in-person)**

Date of hearing: 30.09.2025

Date of order: 30.09.2025

O R D E R

ZULFIQAR ALI SANGI, J.– Through the present petition, the petitioner has invoked the Constitutional jurisdiction of this Court under Article 199 of the Constitution, seeking directions against the Chairman and Vice Chairmen of Union Council No.31, Ward No.3, Taluka Rohri, District Sukkur, on the ground of alleged non-utilization and mismanagement of development funds. The petitioner has further prayed for provision of basic facilities to the residents of the said Union Council.

2. At the very outset, the petitioner was confronted as to the maintainability of the petition in view of the fact that no representation has been made before the competent authorities, namely the Local Government Department or any other forum provided under law. Furthermore, it is neither disclosed in the petition nor specified in the prayer clause as to which particular basic facility is being sought.

3. The petitioner, who appeared in person, was unable to satisfactorily meet the query raised by the Court and candidly admitted that he had not approached the Local Government Department or any other relevant forum before filing the instant petition.

4. It is a settled proposition of law that the extraordinary jurisdiction of this Court under Article 199 of the Constitution cannot be invoked as a substitute for ordinary remedies provided under the statute. The Hon'ble Supreme Court in the cases of *Muhammad Hanif Abbasi v. Imran Khan Niazi* (PLD 2018 SC 189) and *Muhammad Mubeen-us-Salam v. Federation of Pakistan* (PLD 2006 SC 602) has categorically held that where an alternate and efficacious remedy is available, the High Court would not ordinarily exercise its constitutional jurisdiction unless exceptional circumstances are shown.

5. The grievance raised by the petitioner pertains to alleged non-utilization and misuse of development funds, which involves disputed factual aspects requiring inquiry and determination by the competent

administrative authorities, and not by this Court in its limited constitutional jurisdiction.

6. In view of the foregoing, we are not inclined to entertain the petition directly. However, the petitioner shall be at liberty to approach the concerned department/competent authority through a proper representation, which, if filed, shall be decided strictly in accordance with law and within a reasonable time.

7. With these observations, the petition stands ***disposed of***, along with all pending applications, if any.

JUDGE

JUDGE

M.Ali*