

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

C.P. NO.S- 1576/2015

Order with signature of Judge

1. FOR ORDERS ON OFFICE OBJECTION A/W REPLY OF
ADVOCATE AT `A`
2. FOR HEARING OF MAIN CASE

16.11.2015

Mr. Abdul Irfan advocate for petitioners
Mr. M. Waseem Samo advocate for private respondents
Mr. Zafar Ahmed Khan Addl. P.G. alongwith S.I. Javed Bhatti of
P.S. Gulbahar
Mr. Iqbal Ahmed Soomro State Counsel

The case of petitioners is that private respondents No. 1 to 36 have been extorting amount from them each month for the last three years. According to the petitioners, the respondents make telephonic calls, demand Bhatta from them and in case of refusal, they extend threats of dire consequences including killing to them.

Learned counsel for private respondents, on the other hand, has disputed the assertions of the petitioners and contends that there is a civil dispute between the parties, as all the private respondents had given their capital to the petitioners for investment in their business on the promise that they would be returning monthly-wise profit to them. But after making payment of profit to them for few months, the petitioners have refused to either give profit or return them their original amount.

Learned Addl. P.G. and A.A.G. have submitted that the comments of respondent No.39 SHO P.S. Gulbahar, who has confirmed dispute between the parties as argued by the learned counsel for private respondents. Both learned

Law Officer appearing for the State also submit that there is a civil dispute between the parties which cannot be decided in this petition.

I have heard learned counsel for the parties and have gone through the comments filed by SHO P.S. Gul Bahar respondent No.39.

Prima facie, it appears that the dispute between the parties is over money invested by the private respondents with the petitioners and such partnership deed was also executed between them. This kind of factual dispute admittedly cannot be entertained in the constitutional jurisdiction. There appears no element of causing harassment to the petitioners by the private respondents. Under circumstances, this petition is dismissed. Parties are, however, at liberty to seek proper remedy in accordance with.

MUSHARRAF ALI

JUDGE