ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

C.P No.S- 705 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection
2. For Katcha Peshi.

08.11.2016.

None present for petitioner.

Mr. Allah Bachayo Soomro, A.A.G.

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Today, Mr. Nehroo Lal Bheel, Advocate files vakalatnama on behalf of respondents No.4 & 5 and submits that on the contrary petitioner is causing harassment to respondents No.4 & 5. He further submits that petitioner impersonating himself as a Doctor though he is not a qualified medical practitioner.

Learned A.A.G states that no criminal case has been registered against any party to this petition nor police officials have caused any harassment to the petitioner.

In these circumstances, present petition is dismissed being meritless.

JUDGE

ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

C.P No.S- 726 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection
2. For Katcha Peshi.

08.11.2016.

None present for petitioners.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Muhammad Ali Lashari, P.S Tando Yousuf, and ASI Nazeer Ahmed Halepoto on behalf of SHO P.S Rahoki.

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Learned A.A.G informs that earlier a FIR bearing Crime No. 86/2016 was lodged but subsequently petitioner No.1 was handed over to her father-the respondent No.5 and the FIR was disposed of as false 'B' Class. According to the written statement of official respondents, earlier lady petitioner was willing to go with her father-the respondent No.5, but subsequently she joined her husband, the present petitioner No.2. Be that as it may, it appears that the petitioners have lost interest to pursue the matter as purpose of filing the petition has been achieved. Official respondents have undertaken neither to cause any harassment to the petitioners nor patronize any of the private respondents. With these observations, this petition stands disposed of.

JUDGE

Ali Haider

ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

R.A No. 152 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGE

For hearing of C.M.A 1140/15

08.11.2016.

Mr. Tasawar Ali Hashmi, Advocate for applicant(s).

Mr. Allah Bachayo Soomro, A.A.G.

Mr. Imdad Ali R Unar, Advocate for respondent No.8(ii).

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Today, learned A.A.G files objection to the instant Revision Application for which applicant's Counsel seeks time to go through the same.

It has been pointed out by Mr. Tasawar Ali Hashmi learned Counsel for applicant that vide order dated 30.06.2016 instant Revision Application was admitted to regular hearing but is listed in the hearing cases in the cause list. Order accordingly. Office is directed to list this case for regular hearing in the cause list.

Adjourned to 07.12.2016 at 11:00 a.m. Interim order passed earlier to continue till next date.

JUDGE

Ali Haider

ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

C.P No.S- 1473 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection
2. For Katcha Peshi.

08.11.2016.

Mr. Ghulam Mustafa Soomro, Advocate alongwith petitioner.

Mr. Allah Bachayo Soomro, A.A.G alongwith ASI Iftikhar Chandio of P.S Shahpur Chakar.

Mr. Abdul Majeed Hingoro, Advocate for respondents No.4 & 5.

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Today, private respondents are present and deny the allegation that they have caused any harassment or extended threats to petitioner. Today, Counsel representing private respondents has also filed his reply alongwith vakalatnama, under which he has filed copies of proceedings pending in Case No. 58/2015 as well as other litigation pending between the parties, who basically are part of the same family but unfortunately cannot live together, which resulted in litigation.

This petition is disposed of with the following directions:-

1. Primarily, the dispute is with regard to the property for which a 1st Class Suit No.38/2016 is pending adjudication before the learned Court of Senior Civil Judge, Shahdadpur. Learned Senior Civil Judge is directed to decide the said suit expeditiously, without granting unnecessary adjournments to any side so that the main bone of contention between the parties is settled.

2. Police officials/official respondents are directed to provide legal protection to the petitioner if they are approached with such a request, as petitioner is a senior citizen of this Country and has serious complaints against private respondents.

3. Private respondents No.4 & 5 are directed to desist from causing any harassment to the petitioner and his family members in any manner whatsoever; however, they can agitate their grievance through due process of law.

With these observations instant petition stands disposed of.

JUDGE

Ali Haider

ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

C.P No. S- 162 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For orders on M.A 15983/16
2. For Katcha Peshi.
3. For orders on M.A 15984/16

08.11.2016.

Mr. Ghulam Asghar Mirbahar, Advocate for petitioner.

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1. Granted.

2&3. It is, inter alia, contended that the family suit was dismissed for non-prosecution vide a order dated 07.05.2014, a copy of the order sheet has been appended with the main petition and available at Page-43 of the case file, whereafter it is submitted by the learned Counsel that the judgment was announced after one week, that is, 14.05.2014 without giving any notice to the present petitioner about restoration of the suit. He submits that petitioner was not given a fair opportunity to defend his case before the learned Trial Court/Family Judge and thus it is violative of his fundamental right, as envisaged under Article 10-A of the Constitution of Islamic Republic of Pakistan, 1973. He urges urgency on the ground that he has filed documents alongwith his statement today, inter alia, where under the execution application filed by the respondent-lady is fixed today for arguments. It is further stated that private respondent has also preferred a C.P No.S-179/2015.

Office is directed to fix both the Constitutional Petitions together and fix the same on 08.12.2016 at 11:00 a.m. Till next date of hearing, operation of impugned judgment will remain suspended, However, it is clarified that if the petitioner's Counsel avoids to proceed with the matter, then the restraining order granted today shall stand vacated.

JUDGE

Ali Haider

ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

R.A No. 183 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For orders on C.M.A 1855/16
2. For orders on C.M.A 735/16
3. For orders on C.M.A 736/16
4. For orders on C.M.A 894/16
5. For orders on C.M.A 895/16
6. For Katcha Peshi.
7. For orders on C.M.A 896/16

08.11.2016.

Mr. Jagdish R. Mullani, Advocate for applicant.

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It is, inter alia, contended that even the execution application is also allowed but registered deed in favour of decree holder is yet to be executed by the Nazir of the Court. It is further submitted that if the same is done then the present proceedings will become infructuous and applicant's valuable interests will be jeopardized.

Urgency granted.

Issue notices to respondents as well as A.A.G for 01.12.2016 at 11:00 a.m. Till then parties are directed to maintain status quo, however, with a note of caution that if on next date of hearing the applicant's side fails to proceed with the matter, the status quo order granted today shall stand vacated.

JUDGE

Ali Haider

ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

C.P No. 1794 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For orders on M.A 15966/16
2. For orders on office objection
3. For orders on M.A 15967/16
4. For Katcha Peshi.

08.11.2016.

Petitioner's Counsel is called absent. However, this being a petition involving issue of life and liberty is taken up by way of indulgence.

1. Granted.

2. Deferred for the time being.

3. True translation of the annexure(s) to be filed on or before the next date of hearing.

4. Issue notices to the respondents as well as A.A.G for a date to be fixed in third week of November, 2016. Private respondent shall be served through all modes except publication. In the meantime, official respondents are directed to conduct themselves in accordance with law and to ensure that the petitioner is not harassed by anyone.

JUDGE

Ali Haider

ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

C.P No.S- 439 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection
2. For Katcha Peshi.

08.11.2016.

Mr. Hatim Ali Sakhi, Advocate for petitioner.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Muhammad Changal on bhelaf of SSP Hyderabad, ASI Abdul Ghani P.S Market and Inspector Jameel Ahmed P.S Market, Hyderabad

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Today, Mr. Ali Gohar Khokhar, Advocate, files vakalatnama on behalf of respondent No.5, who is also present in person. When queried, said respondent No.5 submits that petitioner No.2 has given him a cheque of Rs.3.5 Million, which was dishonored. However, petitioners' Counsel submits that said cheque was not for consideration but was pre-signed by petitioner No.2 in good faith for meeting certain expenditures.

Be that as it may, according to learned A.A.G, challan in the case crime No. 229/2015 registered under Sections 489-F, 420 PPC against petitioners has already been submitted before the concerned Court.

In view of this factual and legal position and on undertaking given by the police officials and the private respondents that they will not cause harassment to the petitioners, present petition is disposed of. However, it is clarified that parties and particularly private respondents are at liberty to pursue their remedy before any forum by invoking due process of law.

JUDGE

Ali Haider

ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

R.A No. 266 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For orders on C.M.A 1607/16
2. For orders on C.M.A 1608/16
3. For Katcha Peshi.

08.11.2016.

Mr. Masood-ul-Nabi Bachani, Advocate for applicant.

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1. Granted.

2. Granted subject to all just exceptions.

3. Issue notices to official respondents as well as to A.A.G. Office is directed to issue notices to private respondents No. 8 to 10 by all modes except publication for 05.12.2016. In the meantime, office is directed to call R & Ps of the case so that the matter can be proceeded accordingly.

JUDGE

Ali Haider

ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

R.A No. 291 of 2011

DATE	ORDER WITH SIGNATURE OF JUDGE

08.11.2016.

Mr. Abdul Hameed Bajwa, Advocate for the applicant.

Mr. Allah Bachayo Soomro, A.A.G.

Mr. Ali Ahmed alias Zaman Khan Patoli, Advocate for respondents No.5 to 7.

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Notice issued to newly added respondent No.9 is not yet returned. If, in case, the notices are not served upon the said respondent No.9, then office shall repeat notices through all modes except publication and Bailiff will ensure that notice is served through pasting. After compliance of above, the matter shall be fixed in Court for further proceeding. Adjourned.

JUDGE

Ali Haider

ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

R.A No. 350 of 2011

DATE	ORDER WITH SIGNATURE OF JUDGE

For Katcha Peshi.

08.11.2016.

None present for applicants.

Mr. Arbab Ali Hakro, Advocate for respondents No.2 to 6.

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Office is directed to file duly marked Kawish newspaper in which notice has been published before the next date of hearing so that the matter can be proceeded further.

Adjourned to a date in office.

JUDGE

Ali Haider

ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

R.A No. 30 of 2012
R.A No. 121 of 2012

DATE	ORDER WITH SIGNATURE OF JUDGE

08.11.2016.

Mr. Allah Bachayo Soomro, A.A.G for applicants in R.A No. 30/2012

Mr. Suresh Kumar, Advocate for applicants in R.A No. 121/2012.

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Mr. Jagdish R. Mullani, Advocate, who represents respondent No.4 is not present today, therefore, matters are adjourned. Both Revision Applications should be fixed together.

JUDGE

Ali Haider

ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD

R.A No. 44 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For Katcha Peshi.
2. For hearing of C.M.A 434/15
3. For hearing of C.M.A 435/15

08.11.2016.

Applicant No.1 and respondent are present in person.

From the order sheets it appears that this Revision Application is tagged with another Revision Application No. 45/2015, which is not fixed today. Office is directed to fix both Revision Applications tagged together on next date of hearing and also thereafter.

Adjourned to 30.11.2016 at 11:00 a.m.

JUDGE

Ali Haider