

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

C.P No.S- 1714 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For orders on C.M.A 15006/16
3. For Katcha Peshi.

21.11.2016.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Manzoor Ali on behalf of SSP Hyderabad, SIP Abdul Hakeem on behalf of SHO Nasim Nagar, ASI Manzoor Jamali on behalf of SHO Qasimabad.

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Mr. Aijaz Bhutto, Advocate files vakalatnama on behalf of petitioner, whereas, Mr. Imam Bux Solangi, Advocate files vakalatnama on behalf of private respondents No.6 and 8. Both vakalatnamas are taken on record.

Today, detailed written statements have been filed on behalf of private respondents as well as official respondents. According to the learned A.A.G, earlier the brother of petitioner has issued two cheques in connection with a business transaction which cheques were dishonored and culminated into criminal proceeding, which was subsequently compromised. The latest factual development in the case has been narrated by the Counsel for private respondents, who has submitted that above criminal case in respect of FIR No. 215/2016 was compromised in consideration of a cheque of Rs.15,50,000/- issued by present petitioner to the private respondents, which subsequently also on presentment in the Bank has been dishonored and as an evidence of which, the Counsel has placed on record it as annexure E/1. The subject cheque of Rs.15,50,000/- and the Bank Slip are reflecting that the same was bounced on account of insufficient funds in the account of petitioner.

The petitioner seeks time to file a detailed rejoinder so that the background facts can be highlighted before the Court, which request is declined on account of admitted position in the matter.

Basic legal maxim is that the person who seeks equity should come with equity and also come in Court with clean hands. This ingredient is absent from present petition and therefore, the same being de void of merits is dismissed alongwith listed application.

JUDGE

Ali Haider