

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

C.P No.S- 1746 of 2016

---

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
-------------	--------------------------------------

---

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

21.11.2016.

Mr. Ghulam Sajjad Gopang, Advocate for petitioner.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Manzoor Ali on behalf of SSP Hyderabad and ASI Saf-ur-Rehman Sahito on behalf of SHO P.S Bhitai Nagar.

-.-.-

Mr. Irfan Ahmed Qureshi, Advocate, today files vakalatnama and has placed on record counter affidavit on behalf of respondent No.4 to the main petition alongwith copies of judicial proceedings.

The F.C.Suit No.59/2013, which has been mentioned in paragraph-2 of the present petition, was decided by way of the order of 29.08.2015 and the plaint of the suit was rejected, almost 14 months back. This fact has not mentioned in the petition.

Learned Counsel for respondent No.4 has also placed on record an order of 13.11.2015 in criminal complaint No.10 of 2015 filed by the present respondent No.4-Dr. Taslim Memon against the present petitioner and others, in which the present petitioner has been declared as proclaimed offender.

At this juncture, the petitioner's Counsel seeks time to file rejoinder, which request is declined in view of the documents available in record.

The stance of official respondents is that two criminal cases are sub judice before the concerned Court, in which challans have been submitted while disputing the contention of the petitioner that police officials at the behest of private respondents are causing harassment to the petitioner.

It appears that this type of petitions are filed either through sheer concealment of facts or the petitioners/clients do not disclose the entire facts and controversy to their Counsel they engage for the purpose. Being officer of the Court it is the duty of learned Advocate to make at least some preliminary enquiry with the clients before filing such petitions, as it can entail serious adverse consequences because these petitions are filed on the basis of affidavits and if the Court comes to the conclusion that the petitioner has sworn a false affidavit then it can expose the petitioner to criminal prosecution. With these observations instant petition being meritless is dismissed.

JUDGE

Ali Haider