

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
C.P. No. D-7399 of 2018

DATE	ORDER WITH SIGNATURE OF JUDGES
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1. For orders on office objection
2. For hearing of main case.

14.03.2019

Present: Mr. Justice Muhammad Ali Mazhar
Mr. Justice Agha Faisal

Syed Najam-ul-Hassan, Advocate for the Petitioner
Mr. Jawwad Dero, learned AAG alongwith Ms. Ascho Marzia
Begum, State Counsel

Muhammad Ali Mazhar.J:- The petitioner wants to enforce the contractual obligations arising from the contract available at page-23 as annexure-P/4. During course of arguments, learned Counsel for the Petitioner himself admitted that he wants specific performance of the contract but this specific performance of the contract is only possible in the civil suit and not in the constitutional jurisdiction of this Court. It is well settled proposition of law that disputed questions of facts and or factual controversies could not be decided in the writ jurisdiction. We have also seen the contract in which dispute resolution mechanism is also provided. The constitutional petition is not maintainable, which is dismissed in *limine* however, petitioner may avail appropriate remedy in accordance with law.

JUDGE

JUDGE

