

Order Sheet

IN THE HIGH COURT OF SINDH AT KARACHI

Constitutional Petition No.D – 2216 of 2018

Before :

Mr. Justice Nadeem Akhtar

Mr. Justice Adnan-ul-Karim Memon

Muhammad Ashraf Khatti & 22 others V/S Province of Sindh & 03 others.

For Direction:

1. For order on CMA No.7219 of 2020 (U/A):
2. For hearing of CMA No.36909 of 2019 (Contempt):

Date of hearing
& decision : 05.03.2020.

Petitioner Muhammad Ashraf Khatti (CNIC No.41406-4204994-1) present in person.

Mr. Hakim Ali Shaikh, Additional Advocate General Sindh.

ORDER

1. Urgency granted.
2. Petitioner No.1 has submitted an application (CMA No. No.36909 of 2019) under Article 204 of the Constitution of Pakistan 1973, read with section 3 and 4 of the Contempt of Court Ordinance, 2003, for initiation of contempt proceedings against the alleged contemnor on account of his willful, intentional and deliberate act of disobeying the order dated 21.03.2018 passed by this Court.

This Court vide order dated 21.3.2018 dismissed the instant petition as not pressed with certain direction to the respondent No.4 to examine the claim of the petitioners with regard to the issuance of their posting orders and office cards if the petitioners are entitled to the same, appropriate order thereafter be passed in accordance with law. The respondents have submitted compliance report.

We have also gone through the contempt application, the reply of the alleged contemnor to the effect that he had complied with the aforesaid order of this Court in its letter and spirit. This was the reason, his earlier contempt applications were dismissed vide orders dated 02.10.2019 and 08.10.2019 on the ground that the main disposal order was complied with.

This is the third contempt application arising out of the order dated 21.3.2018 passed by this Court. Previous contempt applications bearing CMA No.22276 and CMA No. 28034 of 2019 filed by the applicant were dismissed as not maintainable vide orders discussed supra.

In view of the above, this application is not maintainable. His earlier plea was discarded by this Court in his earlier applications, now he has again attempted to convince this Court by filling the third contempt application on the same grounds, which is not tenable under the law. Accordingly, the application is dismissed with a warning to the petitioners to not repeat such application in future.

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