

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**C.P. No.D-4059 of 2020**

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Date Order with signature of Judge

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Fresh Case

- 1.For order on Misc. No.17008/2020.
- 2.For order on Misc. No.17009/2020.
- 3.For order on Misc. No.17010/2020.
- 4.For hearing of main case.

**03.09.2020**

Mr. Zahid Hussain Rajpar, Advocate for the Petitioner  
a/w Mr. Izharul Haque Junejo, Advocate.

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1. Urgency granted.
2. Exemption granted subject to all just exceptions.
3. In fact a primary dispute is between the petitioner and respondent No.4 who are allegedly partners in a joint venture firm which was awarded a contract. In paragraph 5 of the petition it is clearly mentioned that as per clause 8 of the joint venture agreement the sharing ratio of the profit and loss was decided in which the petitioner has 15% partnership and respondent No.4 has 85%. It is further stated that the respondent No.4 was dealing all financial matters. The petitioner has filed this petition for directions against the respondent No.3 not to issue any payments to respondent No.4 and further directions have been sought against the respondent No.3 to submit all the details of work and payments made to respondent No.4. On the face of it this petition raises various factual and controversial disputes which cannot be decided in the writ jurisdiction and the matter is in fact between the two

J.V. partners. The petitioner has the grievance that some payments have been made to respondent No.4 without informing the petitioner for which the petitioner is seeking directions to give details. In our considerate view this petition is not maintainable, however, after arguing at some length, the learned counsel for the petitioner submits that appropriate remedy will be availed by filing civil suit for the relief. On this statement this petition is dismissed as withdrawn alongwith pending applications.

Judge

Judge

*Asif*