

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

Date

Order with Signature of Judge(s)

Present:

Mr. Justice Muhammad Ali Mazhar

Mr. Justice Agha Faisal

CP No.D-7232 of 2019

Muhammad Ashraf.....Petitioner

Versus

Province of Sindh & Others.....Respondents

1. For orders on office objection.
2. For hearing of CMA No.32036/2019.
3. For hearing of main case.

Date of hearing 21.11.2019

Mr. Mehmood ul Hassan, advocate alongwith the petitioner.

Mr. Shoukat Iqbal, advocate for the respondent No.5
alongwith Muhammad Amjad, Administrator, Newcastle
Falcone Secondary School, Karachi.

Mr. Jawad Dero, Additional Advocate General Sindh.

Muhammad Ali Mazhar, J.: Mr. Shoukat Iqbal has filed Vakalatnama for the respondent No.5 alongwith reply, which is taken on record. Copy has been supplied to the petitioner's counsel. Learned counsel for the petitioner argued that for last 20 days the Management of the Newcastle Falcone Secondary School is not allowing the petitioner's children namely Sufyan Ali, Maham, Abdullah, Rehman Ali and Muhammad Umer to attend the classes, while their fee from the month of February 2019 to October 2019 is fully paid. The Administrator of the respondent No.5 of the aforesaid institution is present and he informed us that the petitioner has failed to pay the arrears in the sum of Rs.96,000/- and the petitioner deposited few cheques for the realization of arrears but said

cheques were dishonored. However, he admits that petitioner has paid fee from February 2019 upto October 2019.

2. The petitioner is also present in court and submits that Rs.96,000/- is inclusive of late payment fee but actually he is required to pay Rs.86,000/- as arrears on account of previous fee of his children. The administrator of the school conceded that the petitioner may pay Rs.86,000/- arrears and continue to pay the current fee according to the fee slab. The petitioner submitted that he was employed in Shaheen Air International but after closure of establishment, he is jobless, therefore, he requests that one year time may be allowed to pay Rs.86,000/- in four quarterly installments. The administrator of the school and their counsel agrees to this proposal. The administrator also agreed that the petitioner's children may join their classes from tomorrow.

3. The petitioner shall pay arrears of fee in the sum of Rs.86,000/- to Newcastle Falcone Secondary School in four quarterly installments within one year and will continue to pay monthly fee regularly. The administrator of the school at this juncture submitted that some time the petitioner approached them and also misbehaved. The petitioner has denied the allegation but he promised that he will maintain the proper decorum and observe the discipline and shall not give any cause of complaint. By consent the petition is disposed of accordingly along with pending application/s.

JUDGE

JUDGE