

**THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD**

**C.P. No.D-1085 of 2013.**

**Before:-  
Mr. Justice Nadeem Akhtar  
Mr. Justice Adnan-ul-Karim Memon**

Petitioner is present in person.

Mr. Muhammad Arshad S. Pathan, advocate for respondents.

Mr. Allah Bachayo Soomro, Addl.A.G. along with Muhammad Ismail Siyal Assistant Electric Inspector.

Date of hearing : 05.12.2019

Date of decision : 05.12.2019

For hearing of M.A No.10083 of 2013.

**ORDER**

The instant petition was disposed of by this Court vide order dated 06.06.2013 with the following observations:-

*“4. In view of the undertaking given by Mr. Gul Sher Mastoi, Assistant Manager (Legal), HESCO, in addition to herein above agreement, the complaints/ consumers may make payment of 33% of the disputed bill, whereafter their electricity connection may be restored however, the same will be subject to final decision by the Reconciliatory Committee on the complaints filed by the complaints/consumers. The HESCO authorities are at liberty to take action against the electricity consumers who are using illegal connections in accordance with law.*

*Instant petitions are disposed of n the above terms.”*

2. On 31.10.2013, the applicant filed listed application for initiation of contempt proceedings against the alleged contemnors on account of their willful, intentional and deliberate act of disobeying the order dated 06.06.2013.

3. Record does not reflect that the aforesaid order was assailed before the Hon'ble Supreme Court of Pakistan, which has now attained finality.

4. Learned counsel for the Applicant has argued that despite clear directions in the above said Order, the contemnors have not complied with the same. He lastly prays for direction to the alleged contemnors to comply with the order passed by this Court in the present matter.

5. We have heard the learned counsel for the petitioner / applicant on the listed application and perused the material available on the record.

6. Prima-facie explanation offered by the Respondents is untenable. The Petitioner has pointed out malice on the part of alleged contemnors warranting interference of this Court to take action against the alleged contemnors under Article 204 of the Constitution, who failed and neglected to comply the order dated 06.06.2013 passed by this court. Therefore, at this juncture, prima facie, Petitioner has made out a case for initiating contempt proceedings against the alleged contemnors. Therefore, the office is directed to issue show cause notice to the alleged contemnors under section 17 (1) of the Contempt of Court Ordinance 2003 read with Article 204 of the Constitution, as to why contempt proceedings should not be initiated against them for willful defiance of the order dated 06.06.2013 passed by this Court. The listed application bearing (M.A No.10083 of 2013), is adjourned to be taken up after two weeks.

**JUDGE**

**JUDGE**