

Order Sheet

IN THE HIGH COURT OF SINDH AT KARACHI

Suit No. 112 of 2015

Date	Order with signature of Judge
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1. For hearing of CMA No.739/2015 (Stay) :
2. For hearing of CMA No.4425/2015 (Stay) :
3. For hearing of CMA No.16785/2015 (Contempt) :

**07.11.2016 :**

Mr. Ali Asadullah Bullo, advocate for the plaintiff.

Mr. Shah Nawaz, advocate for the defendant.

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1 & 2. Deferred for the time being.

3. Through this application, the plaintiff has prayed that contempt of Court proceedings be initiated against the alleged contemnors for violating the order passed in the instant Suit on 20.01.2015. Counsel for the plaintiff states that on 20.01.2015 notice on the plaintiff's CMA No.739/2015 was ordered to be issued, and it was ordered that if any order is passed by the authority, the same shall be subject to the final order passed by this Court. He submits that despite this order, the plaintiff was removed from service by the alleged contemnors through a back-dated letter / order dated 19.01.2015, which was actually issued on 22.01.2015 after passing the order dated 20.01.2015. Perusal of the above termination letter / order shows that it bears the date 19.01.2015 and a stamp with another date viz. 22.01.2015. Since it was clearly stated by this Court in the order dated 20.01.2015 that if any order is passed by the authority the same shall be subject to the final order passed by this Court, the date of the termination letter / order is not relevant. The above observation in the order dated 20.01.2015 clearly shows that the authority concerned was not restrained from passing any order. On the contrary, it shows that order could be passed, but the same would be subject to the final order passed by this Court in the present proceedings. In view of the above, no case has been made out by the plaintiff for initiating contempt of Court proceedings against the persons named in this application as alleged contemnors. The application is, therefore, dismissed with no order as to costs.

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