

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Const. Petition No. D-146 of 2022

Date	Order with signature of Judge
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1. For orders on office objection at flag `A`
2. For hearing of CMANo.683/2022
3. For hearing of main case

05-04-2022

M/s Ghulam Rehman Korai and Aftab Ayub, Advocates for Petitioners
Mr. Ali Raza Balouch, Assistant Advocate General

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We have been informed that Mr. Mukesh Kumar is busy before another bench. On the last date of hearing, with his assistance, the following order was passed.

29-03-2022

Mr. Ali Raza Baloch, Assistant Advocate General Sindh.

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Mr. Mukesh Kumar G. Karara, Counsel, has filed *vakalatnama* on behalf of Respondent No.1, and submits that this Petition has been filed against a show-cause notice issued to the Petitioner for alleged violation of his commitment and agreement with Respondent No.1. We have also perused the reply of the Petitioner to the said show-cause notice and it appears that the Petitioner has conceded to the allegations and even has stated to honour the said commitment. In that no occasion arises to file instant Petition. Nobody is in attendance on behalf of the Petitioner; whereas, on the last date of hearing, again the Counsel was called absent and his brief was held. Ordinarily, Petition ought to have been dismissed, but since the Counsel comes from Karachi, whereas, the matter pertains to a Petitioner, who by himself, is a Teacher (Ph.D.), we are taking lenient view and adjourning this matter with a note of caution that if no one turns up on the next date, Petition would be dismissed for non-prosecution.

To come up on **5th April 2022**. Office to issue intimation notice to the Petitioner's Counsel for the next date.

Today after being confronted as to the above order, learned Counsel for the petitioner submits that if concerned respondent (IBA-Sukkur) is directed to consider the petitioners reply to the show cause notice as above, and take a lenient / sympathetic view as to the compelling circumstances and illness of his children which has resulted in dishonoring his commitment, he has instructions not to press instant petition.

Accordingly, in view of such position, petition is dismissed as withdrawn, whereas, the Respondent (IBA-Sukkur), shall consider the case of the petitioner in view of the above submissions in accordance with law and may also consider the case of the petitioner sympathetically, after examining the compelling circumstances as may be explained by the petitioner.

JUDGE

JUDGE