

ORDER SHEET
**HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**
C.P No.D-138 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on M.A No.3595/2022

31.03.2022

Mr. Aghis-us-Salam Tahirzada, advocate for petitioner

Mr. Muhammad Ayoub, advocate for alleged contemnor No.3

Urgency is granted.

This is a matter that concerns with the recovery of the contractual obligations allegedly performed. The Hon'ble Supreme Court in the case of *Zonal Manager, U.B.L and another v. Mst. Perveen Akhtar* [PLD 2007 Supreme Court 298] has observed that the contractual obligations cannot be undertaken under writ jurisdiction whether it concerns with the disputed or agreed amount. Hence this petition, even the amount is admitted, cannot be held maintainable in view of the findings of the Hon'ble Supreme Court. This being the situation we deem it appropriate, and as requested by the petitioner's counsel that he would avail the remedy before the forum having jurisdiction, dispose of this petition, leaving the petitioner at liberty to avail such remedy before forum having jurisdiction, if permissible under the law.

Petition stands disposed of in the above terms.

JUDGE

JUDGE

Sajjad Ali Jessar