

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.

C.P.No.S- 62 of 2022

DATE ORDER WITH SIGNATURE OF JUDGE

1. For orders on MA 1756/2022.
2. For orders on MA 1757/2022.

05.09.2022

Ms. Tahrim Jawahery, Advocate for petitioners.
Mr. Allah Bachayo Soomro, Addl.A.G

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1. Granted.
2. The applicants / petitioners have filed the instant miscellaneous application with the assertion that the subject petition was inadvertently tagged with the bunch of petitions about Free will Marriages cases and disposed of with common order, as the present matter pertains to simple harassment caused to the petitioner by the private respondents 5 and 6 of Zubaida College. Prima-facie the assertion of learned counsel is correct; therefore, the office is directed to de-tag this petition from the aforesaid bunch of petitions. It has been alleged that the private parties are at fault and harassing the petitioner either themselves and / or with the help of police, and instead of taking action against the wrongdoers, the police is supporting them.
3. Since the petitioners simply seek legal protection on the premise that private respondents are causing harassment to the petitioners unnecessarily and raising commotion in the area by taking false pleas; in this regard, learned AAG has waived notice of the application and has candidly agreed that no harassment shall be caused to the petitioners by the police officials. However, the other grievances of the petitioners could be taken care of in terms of the ratio of judgment dated 30.05.2018 passed by learned Division Bench at Sukkur Bench, in CP No. D- 2149 / 2018 and subsequent order dated 12.12.2019 passed in CP No. D- 259/2011 at Circuit Court, Hyderabad, as the same remedy is also available before the competent forum, which remedy needs to be not only availed but also exhausted.
4. Since, learned Additional. A.G. has categorically stated that no harassment shall be caused to the petitioners; and, the police officials shall act strictly under the law. Learned counsel for the petitioners seeks disposal of the aforesaid case in terms that no harassment be caused to the petitioners in whatsoever manner, either at the hands of police and/or private respondents

5. Prima facie, the statement of learned Addl. A.G is tenable and this petition is restored to its original position and is disposed of with the understanding that the police officials shall be neutral and no harassment shall be caused to the petitioners, however, if there arises any dispute between the private parties and they shall act under the law and no harassment shall be caused to either party.

JUDGE

Karar_hussain/PS*