

# IN THE HIGH COURT OF SINDH AT KARACHI

Present:  
**Muhammad Junaid Ghaffar, J.**  
**Agha Faisal, J.**

C P D 4955 of 2022 : Champion Neon vs.  
Province of Sindh & Others

For the Petitioner : Mr. Shafiq Ahmed, Advocate

For the Respondents : Mr. Ghulam Hussain, Advocate

Mr. Moin Ahmed, Advocate

Mr. Ali Safdar Depar  
Assistant Advocate General

Date/s of hearing : 21.11.2022

Date of announcement : 21.11.2022

## ORDER

**Agha Faisal, J.** The dispute before us, *prima facie* contractual in nature, is with respect to rights for commercial billboards in the relevant area of Karachi. Ostensibly aggrieved with regards to a contract, the petitioner primarily seeks for this court to order an inquiry pursuant to the allegations levelled and issue directions against a respondent, if found culpable post the inquiry sought.

2. On the very first date of hearing the petitioner's counsel was confronted with respect to the maintainability hereof; however, he failed to satisfy this court, either on the said date or today.

3. The petitioner seeks to agitate issues of a contractual / factual nature, requiring appreciation of conflicting claims and documentation. While such an exercise may be amenable for adjudication before courts of plenary jurisdiction, it is now settled law that entertaining of a fact finding exercise, requiring appreciation of evidence and adjudication of conflicting claims, is discouraged in the exercise of writ jurisdiction of this Court<sup>1</sup>.

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<sup>1</sup> 2016 CLC 1; 2015 PLC 45; 2015 CLD 257; 2011 SCMR 1990; 2001 SCMR 574; PLD 2001 Supreme Court 415.

4. It is also admitted before us that the petitioner has already sought recourse to alternate remedy, including MA 3433 of 2022 filed before the Court of the learned 3<sup>rd</sup> Additional District & Sessions East Karachi, hence, no case for invocation of the writ jurisdiction stands made out in any event.

5. In view hereof, we find this petition to be misconceived, hence, the same, along with pending application/s, was dismissed vide our short order announced in Court at the conclusion of the hearing earlier today. These are the reasons for our short order.

JUDGE

JUDGE