

Order Sheet

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.S-457 of 2023

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on MA-1617/2023
2. For orders on office objection
3. For orders on MA-1618/2023
4. For orders on MA-1619/2023
4. For hearing of main case.

23.10.2023

Syed Sardar Hussain Shah, advocate for petitioner.

1. Granted.

2,3,4&5. Office has raised serious objection as to territorial jurisdiction as well as maintainability and learned counsel is unable to satisfy on either count.

A complaint was filed by a union registered in Ghotki, with respect to matters within the said territorial remit, pertaining to harassment. Vide letter dated 03.10.2023 the Registrar of Trade Union declined to entertain such a complaint, with respect to harassment, on the premise that request could not be entertained within its domain. It is that letter that has been assailed before this Court.

Prima facie this Court does not have territorial jurisdiction to entertain this matter and even otherwise the learned counsel remained unable to substantiate as to how a writ petition could be entertained in view of a letter with respect to harassment. Learned counsel was asked to identify the law under which the respondent could be petitioned in the manner done or an adjudication obtained, however, he remained unable to do so.

Article 199 of the Constitution contemplates the discretionary¹ writ jurisdiction of this Court and no case has been set forth before this Court for favorable exercise of such discretion, therefore, this petition is hereby dismissed *in limine*.

JUDGE

Ahmed/Pa,

¹ Per *Ijaz Ul Ahsan J. in Syed Iqbal Hussain Shah Gillani vs. PBC & Others* reported as 2021 SCMR 425; *Muhammad Fiaz Khan vs. Ajmer Khan & Another* reported as 2010 SCMR 105.