

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

PRESENT:

Mr. Justice Aqeel Ahmed Abbasi, ACJ

Mr. Justice Abdul Mobeen Lakho, J

C.P. No.D-5036 of 2023

Date

Order with signature of Judge

FRESH CASE:

1. For order on CMA No.25486/2023 (Urgent).
 2. For order on office objection No.19.
 3. For order on CMA No.23051/2023 (Exemption).
 4. For hearing of main case.
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Dated; 16th November 2023

Mr. Bilal Memon, Advocate for Petitioner.

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1. Urgency granted.
2. Learned counsel for the petitioner undertakes to comply with office objection before the next date of hearing.
3. Exemption granted subject to all just exceptions.
4. After arguing the matter at some length, it appears that instant petition is misconceived and does not fall within the purview of Article 199 of the Constitution of Islamic Republic of Pakistan, as prima facie, it appears that through instant petition, the petitioner, who claims to be the plaintiff in a Suit No.408/1985 [Re: Ismail Bawany v. Ilyas Bawany and others], has complained against the Record Branch of District & Sessions Court, Karachi West, who according to learned counsel for the petitioner, has lost the file of the aforesaid suit, which was transferred from this Court on account of pecuniary jurisdiction alongwith other cases on 20.07.1996, however, no other particulars/documents, except uncertified copy of a preliminary decree passed in the aforesaid suit, has been annexed with instant petition, which prima facie cannot be considered as a valid document for the

purpose of invoking the Constitutional jurisdiction of this Court. It further appears that the petitioner has already taken up the matter on administrative side by filing complaint before the MIT-II of this Court.

Accordingly, instant petition is dismissed in limine alongwith listed application. However, the petitioner will pursue the complaint filed before the MIT-II, who shall examine the authentication and genuineness of complaint and thereafter dispose of the same accordingly, preferably, within a period of two (02) months from the date of this order.

ACTING CHIEF JUSTICE

J U D G E

Farhan/PS
