

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-6114 of 2024

[M/s. Pipelink Construction (Pvt.) Ltd. v. Province of Sindh & others]

DATE: **ORDER WITH SIGNATURE(S) OF JUDGE(S)**

1. For Order on Misc. No.27094/2024 (U/A)
2. For Order on office objections No.5, 11, 13 & 32.

05-12-2024

Syed Abid Hussain Shirazi, Advocate for the Petitioner.

-
1. Urgency granted.
 2. Heard the learned counsel for the petitioner on the point of territorial jurisdiction of this Court. The learned counsel for the petitioner has contended that the petitioner's company is located and registered in Karachi, with its head office also situated in Karachi. Moreover, the offices of respondents No.1, 2, and 7 are likewise located in Karachi. Based on these facts, the learned counsel has argued that the present petition should be entertained at the principal seat of this Court in Karachi.
 3. However, a thorough examination of the contents of the petition and the accompanying records reveals that the alleged incidents of harassment, theft of construction materials and machinery, and issuance of threats to the employees/officials of the petitioner's company took place within the territorial jurisdiction of Police Station Shahdadpur, District Sanghar. This area falls within the territorial jurisdiction of the Circuit Court of this Court at Mirpurkhas. Additionally, the petitioner's company, through their authorized representatives, had moved Criminal Miscellaneous Applications for legal protection and the registration of an FIR before the courts within the jurisdiction of District Sanghar regarding the incidents stated in the present petition.
 4. In view of the above, territorial jurisdiction is determined by the location where the cause of action arises. The key incidents leading to this petition, including the harassment and threats, have transpired in District Sanghar. Consequently, it is evident that the cause of action substantially occurred within the jurisdiction of the Circuit Court at Mirpurkhas. The principles governing territorial jurisdiction emphasize the importance of hearing court cases where the facts and circumstances giving rise to the dispute are most intimately connected. In the present case, since the primary events took place in Shahdadpur, District Sanghar, it is only appropriate and just for the Circuit Court at Mirpurkhas to hear this matter. This approach ensures that the witnesses and evidence are more readily accessible and that the local context of the incidents is better understood by the Court.

5. Therefore, despite the petitioner's company and the respondents having their offices in Karachi, the territorial jurisdiction lies with the Circuit Court at Mirpurkhas due to the location of the alleged incidents and the subsequent legal actions taken within District Sanghar. The petition is directed to be filed and entertained at the Circuit Court at Mirpurkhas. In such circumstances, the office objection is sustained. Resultantly, the office is directed to place this petition before the Honourable Chief Justice for further orders.

JUDGE

JUDGE

Jameel/*