

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

Criminal Bail Application No.D-61 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on M.A 7902/17
2. For orders on office objection
3. For orders on M.A 7903/17
4. For hearing.

30.10.2017

Syed Shahzad Ali Shah, Advocate for applicant alongwith applicant.

1. Urgency granted.
2. Overruled.
3. Granted.
4. Learned Counsel for applicant submits that applicant wants to surrender before the concerned Court to seek pre-arrest bail in accordance with law but he apprehends his imminent arrest at the hands of police at the instance of complainant party. He also submits that protective bail may be granted to the applicant in order to enable him to surrender before the concerned Court.

Without touching the merits of the case, the applicant is granted to protective bail for a period of 07 days from today subject to his furnishing solvent surety in the sum of Rs.50,000/- and P.R Bond in the like amount to the satisfaction of Additional Registrar of this Court. The operation of N.B.Ws, if any, issued against the applicant shall remain suspended for the period of seven days.

This order shall cease to have its effect on expiry of 07 days on 05.11.2017 or on surrender of the applicant before the concerned Court, whichever is earlier.

The bail application stands disposed of.

JUDGE

JUDGE

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

Criminal Jail Appeal No.D-33 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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For regular hearing

30.10.2017.

Appellant has been produced in custody.

Syed Meeral Shah A.P.G. for the State.

Appellant Abdul Qudoos has been convicted for the offence under section 9(c) Control of Narcotics Substances Act, 1997, and sentenced to R.I for 06 years and 06 months and he has also been imposed fine of Rs.30,000/-, in default of fine he will suffer 06 months S.I. He is not represented by any Counsel, therefore, Mr. Ghulam Asghar Mirbahar, Advocate, is appointed Counsel for appellant on State expenses, his fee is fixed at Rs.20,000/- which shall be paid to him on final disposal of the appeal.

Today, this appeal is fixed for regular hearing. We have gone through the evidence available in R & Ps of this case with the assistance of learned Counsel for the parties and have heard them.

For the reasons to follow, conviction and sentence of the appellant from R.I for 06 years and 06 months and fine of Rs.30,000/- under section 9(c) Control of Narcotics Substances Act, 1997, is altered and reduced to the conviction and sentence under section 9(b) C.N.S Act, 1997 for the period already undergone by him, which shall include the period the appellant has to suffer in lieu of fine. The appellant shall be released forthwith if not required in any other case.

Appeal is dismissed in above terms.

JUDGE

JUDGE

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

Criminal Miscellaneous Application No.D-02 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For hearing

30.10.2017.

Mr. Allah Bachayo Soomro, A.A.G alongwith Inspector Sajjad Bhatti, ASDPO on behalf of SSP Matiari and S.H.O P.S Hala.

No one is present on behalf of the petitioner.

Learned A.A.G has filed statements of respondents No.2 and 3, which are taken on record.

Adjourned to 12.12.2017 for which date intimation notice be issued to the petitioner.

JUDGE

JUDGE

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

C.P No.D-1592 of 2017

DATE ORDER WITH SIGNATURE OF JUDGE

For hearing of MA 7376/17

30.10.2017.

Mr. Asif Ali Talpur, Advocate for petitioner.

Learned Counsel for the petitioner does not press this application,
which is accordingly dismissed as not pressed.

JUDGE

JUDGE

Ali Haider

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

C.P No.D-303 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on M.A 13869/17
2. For orders on office objection
3. For Katcha Peshi.

30.10.2017.

Mr. Altaf Sachal R. Awan, Advocate, holds brief for Mr.
Muhammad Sachal R. Awan, Advocate for petitioner.

Urgent application is granted. To come up on 12.12.2017 after
notice to all concerned.

JUDGE

JUDGE

Ali Haider

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

C.P No.D-1945 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on M.A 13777/17
2. For orders on office objection
3. For Katcha Peshi.
4. For hearing of MA 10670/16

30.10.2017.

Mr. Faheem Unar, Advocate for the petitioner.

Urgent application is granted. To come up on 12.12.2017 after
notice to all concerned.

JUDGE

JUDGE

Ali Haider

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

C.P No.D-2873 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on M.A 13871/17
2. For orders on office objection
3. For Katcha Peshi.
4. For hearing of MA 15561/16

30.10.2017.

Mr. Kashif Ali Lakho, Advocate, holds brief for Mr. Hameedullah Dahri, Advocate for the petitioner.

Mr. Allah Bachayo Soomro, A.A.G.

Urgent application is granted. To come up on 13.12.2017 after notice to all concerned.

JUDGE

JUDGE

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

C.P No.D-1214 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For Katcha Peshi.

30.10.2017.

Mr. Sher Muhammad Laghari, State Counsel.

Learned A.A.G has filed the comments of respondent No.6.

On the first date of hearing viz. 04.05.2017, the learned Counsel for petitioner was put to notice to satisfy the Court on the point of maintainability, whereafter this matter has been fixed today but neither the petitioner nor his Counsel is present which shows that they have no answer to the question of maintainability of this petition.

Resultantly, this petition is dismissed in non-prosecution as no one is present today on behalf of the petitioner.

JUDGE

JUDGE

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

C.P No.D-1370 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

None present for the petitioner.

Mr. Manzoor Ahmed Panhwar, Advocate for respondents No.5 to 11.

Mr. Allah Bachayo Soomro, A.A.G.

This petition is essentially against the alleged harassment caused to the petitioner by the private respondents. Mr. Manzoor Ahmed Panhwar, Advocate for respondents No.5 to 11 has filed a statement stating that no harassment has been caused to the petitioner.

Learned A.A.G has also filed the comments of respondents No.1 to 4 denying the allegation.

Be that as it may, today neither the petitioner nor his Counsel are present. We, therefore, dismiss this petition in non-prosecution.

JUDGE

JUDGE

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

C.P No.D-1340 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Mr. Muhammad Sachal R. Awan, Advocate for petitioner.

M/s Allah Bachayo Soomro, A.A.G and Syed Meeral Shah
A.P.G. for the State alongwith SIP Wajid Ali S.H.O P.S
Jhampir on behalf of SSP Thatta and SIP Qadir Bux S.H.O
P.S Looni Kot.

Learned A.A.G has filed the comments of respondents No.2 to 5,
copy whereof has been supplied to the Counsel for the petitioner who
seeks time to go through the same.

Mr. Taheseen H. Qureshi, Advocate, undertakes to file power on
behalf of respondents No.7 to 10 on or before the next date of hearing.
He claims copy of the petition which Mr. Muhammad Sachal R. Awan
learned Counsel for the petitioner undertakes to supply him during court
hours.

Adjourned to 27.11.2017.

JUDGE

JUDGE

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

C.P No.D-1360 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For Katcha Peshi.

30.10.2017.

None present for the petitioner.

Mr. Allah Bachayo Soomro, A.A.G.

Syed Meeral Shah A.P.G. for the State.

Learned A.A.G has filed the comments of respondents No.2, 4, 5, and 6, which are taken on record.

We have seen that this petition has been filed by the petitioners for quashment of the F.I.R. bearing Crime No. 34/2017 of P.S New Fojdari, District Shikarpur under section 365-B, 34 PPC registered against inter alia, the petitioners for their alleged marriage on freewill.

Learned A.A.G has filed the comments of respondents No.2,4,5 and 6, which show that the said F.I.R. has been disposed of under "C" class and such order has also been passed by learned 6th Civil Judge & Judicial Magistrate, Shikarpur. A copy of such order has also been filed by learned A.A.G.

We, in the circumstances, dispose of this petition for having served its purpose and further direct the respondents to provide protection to the petitioners in accordance with law.

JUDGE

JUDGE

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

C.P No.D-1458 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Mr. Om Parkash H. Karmani advocate for petitioners.

Mr. Allah Bachayo Soomro, A.A.G.

Learned A.A.G has filed the comments of respondent No.3, copy whereof has been supplied to the Counsel for the petitioners who seeks time to go through the same.

Adjourned to 28.11.2017.

JUDGE

JUDGE

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

C.P No.D-1659 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For Katcha Peshi.
3. For hearing of MA 7060/17

30.10.2017.

Mr. Muhammad Arshad S. Pathan, Advocate for
petitioners.

Mr. Allah Bachayo Soomro, A.A.G.

Learned Counsel for the petitioners does not press this petition,
which is accordingly dismissed as not pressed alongwith listed
application.

JUDGE

JUDGE

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

C.P No.D-1752 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Mr. Allah Bachayo Soomro, A.A.G.

Mr. Amjad Ali Sahito learned Counsel for petitioners is reportedly busy before the Honourable Supreme Court of Pakistan at Islamabad and on his behalf Mr. Waqar Ahmed Memon, Advocate, is holding brief and requesting for time.

Adjourned to 28.11.2017.

JUDGE

JUDGE

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

C.P No.D-1754 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Mr. Allah Bachayo Soomro, A.A.G.

Mr. Amjad Ali Sahito learned Counsel for petitioners is reportedly busy before the Honourable Supreme Court of Pakistan at Islamabad and on his behalf Mr. Waqar Ahmed Memon, Advocate, is holding brief and requesting for time.

Adjourned to 28.11.2017.

JUDGE

JUDGE

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

C.P No.D-1821 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Mr. Lutufullah Arain, D.A.G.

Mr. Ghulam Hussain, Deputy Director (Legal)NHA.

Mr. Muhammad Hassan Chandio, Advocate for petitioner is reportedly unwell and on his behalf Mr. Waqar Ahmed Memon, Advocate, is holding brief and requesting for time.

Adjourned to 11.12.2017.

JUDGE

JUDGE

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

C.P No.D-2171 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Mr. Zulfiqar Ali Rajput, Assistant Attorney General

Mr. Allah Bachayo Soomro, A.A.G.

Mr. Ali Ahmed Palh, Advocate, states that he would file power on behalf of the petitioner whose son has been taken away by unknown persons and this petition is regarding missing person. Learned A.A.G states that although he has filed comments but needs some time to file final report on the subject. He is directed to submit the report showing tangible progress on the next date of hearing about whereabouts of the alleged missing person otherwise call the relevant person.

Adjourned to 07.11.2017.

JUDGE

JUDGE

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

C.P No.D-2600 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Mr. Allah Bachayo Soomro, A.A.G.

Mr. Faisal Nadeem Abro, Advocate for petitioner is reportedly out of station and on his behalf Mr. Nadeem Tagar, Advocate, is holding brief and requesting for time.

Mr. Rasheed Ahmed, Advocate, has filed power of Mr. Imran Qureshi, Advocate, on behalf of respondents No.3 to 5, which is taken on record.

Adjourned to 11.12.2017.

JUDGE

JUDGE

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

C.P No.D-2873 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For Katcha Peshi.
3. For hearing of MA 11432/17

30.10.2017.

Mian Taj Muhammad Keerio, Advocate for petitioner.

Mr. Allah Bachayo Soomro, A.A.G.

Syed Meeral Shah A.P.G. for the State.

It is, inter alia, contended that under the garb of the impugned order the respondents are going to demolish the house of the petitioner without ascertaining the exact facts through evidence etc.

Let notice be issued to respondent No.1. Meanwhile, the operation of the impugned order shall remain suspended till next date of hearing.

Adjourned to a date in office.

JUDGE

JUDGE

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

C.P No.D-3054 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Mr. Abdul Shakoor Keerio, Advocate for petitioner.

Mr. Allah Bachayo Soomro, A.A.G. alongwith ASI
Bahadur Ali Kaka, P.S Saeedabad.

Learned A.A.G has filed the comments of respondents No.2 and 3,
copy whereof has been supplied to the Counsel for the petitioner who
seeks time to go through the same.

It appears that the petitioner has already filed petition bearing C.P
No.D-3498/2016 which is fixed on 13th of this month. Let this petition
be tagged with the said petition and be fixed on the same date.

JUDGE

JUDGE

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

Criminal Acquittal Appeal No.D-17 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Mr. Muhammad Hashim Laghari, advocate for appellant.
Syed Meeral Shah A.P.G. for the State.

Learned Counsel for the appellant states that he would be filing
the statements of the respondents under section 342, Cr.P.C. For this
purpose, he seeks time.

Adjourned to a date in office.

JUDGE

JUDGE

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

C.P No.D-522 of 2010

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For Katcha Peshi.

30.10.2017.

Mr. Ghulamullah Chang, Advocate for petitioner.
Mr. Allah Bachayo Soomro, A.A.G.

Learned Counsel for the petitioner does not press this petition,
which is accordingly dismissed as not pressed.

JUDGE

JUDGE

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

C.P No.D-1771 of 2010

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Mr. Arbab Ali Hakro, Advocate for the petitioners.

Mr. Allah Bachayo Soomro, A.A.G.

At the request of learned Counsel for the petitioners to comply
with the order dated 05.04.2016, adjourned to 07.12.2017.

JUDGE

JUDGE

Ali Haider

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

C.P No.D-1289 of 2011

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. Katcha Peshi.
3. For hearing of MA 6009/11

30.10.2017.

Mr. Allah Bachayo Soomro, A.A.G.
Mr. Arbab Ali Hakro, Advocate for respondent No.9.

This petition was last fixed in Court on 26.03.2014 more than 3 years ago when no one was present and since then the petitioner has not taken any interest to get this matter fixed for hearing, today also neither the petitioner is present nor his Counsel which indicates that the petitioner and his Counsel have lost interest to pursue this petition, which is dismissed for non-prosecution alongwith listed application.

JUDGE

JUDGE

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

C.P No.D-286 of 2011

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For Katcha Peshi.
2. For hearing of MA 1273/11

30.10.2017.

Mr. Allah Bachayo Soomro, A.A.G.

This petition was last fixed in Court on 15.05.2013 more than 4 years ago and since then the petitioner has not taken any interest to get this matter fixed for hearing, today also neither the petitioner is present nor his Counsel which indicates that the petitioner and his Counsel have lost interest to pursue this matter, which is dismissed for non-prosecution alongwith listed application.

JUDGE

JUDGE

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

C.P No.D-784 of 2011

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For Katcha Peshi.
2. For hearing of MA 3452/11

30.10.2017.

Mr. Muhammad Arshad S. Pathan, Advocate for petitioners

Mr. Allah Bachayo Soomro, A.A.G.

Learned Counsel for the petitioners does not press this petition,
which is accordingly dismissed as not pressed alongwith listed
application.

JUDGE

JUDGE

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

C.P No.D-847 of 2011

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Mr. Muhammad Hashim Laghari, advocate for petitioner.

Mr. Rafique Ahmed, Advocate for respondents No.2 and 3.

Mr. Lutufullah Arain, D.A.G.

Mr. Rafique Ahmed learned Counsel for respondents No.2 and 3 has supplied copy of the comments to learned Counsel for the petitioner who seeks time to go through the same.

Adjourned to a date in office.

JUDGE

JUDGE

Ali Haider

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

C.P No.D-1761 of 2011
C.P No.D-1763 of 2011

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Ms. Nasim Abbasi, Advocate for petitioner.

Mr. Allah Bachayo Soomro, A.A.G.

Learned Counsel for the petitioner has informed that Mr. Ghulam Muhammad Memon, who was representing the respondents No.2 and 3, has expired. In the circumstances, let intimation notices be issued to them for next date of hearing.

Adjourned to 27.11.2017.

JUDGE

JUDGE

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

C.P No.D-114 of 2012
C.P No.D-115 of 2012
C.P No.D-1975 of 2011
C.P No.D-2074 of 2011

DATE	ORDER WITH SIGNATURE OF JUDGE
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30.10.2017.

Mr. Muhammad Arshad S. Pathan, Advocate.

Mr. Anwar H. Ansari, State Counsel.

Mr. Muhammad Arshad S. Pathan, Advocate, states that he was directed by the Court to assist it on the controversy involved, but the petitioner is not in contact with him and has not provided him proper instructions for pleading this case. We have seen that on the last date of hearing the petitioner was absent and intimation notice was issued to him. Today, he is also called absent. In the circumstances, we repeat intimation notice to him and fix this matter on 06.12.2017 and if on that date the petitioner does not come, an appropriate order in accordance with law will be passed.

The Constitutional Petition No.D-2074 of 2011 has wrongly been tagged alongwith above mentioned petitions. The office to de-tag this petition and fix it separately.

JUDGE

JUDGE

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

C.P No.D-446 of 2012

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on M.A 1981/12
2. For Katcha Peshi.
3. For orders on M.A 1982/12

30.10.2017.

None present for the petitioner. No intimation received. Same was the position n the last date of hearing. Petition is dismissed for non-prosecution alongwith listed applications.

JUDGE

JUDGE

Ali Haider

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

C.P No.D-59 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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26.10.2017.

Mr. Ali Ahmed Palh, advocates for petitioner.

Mr. Allah Bachayo Soomro, A.A.G. alongwith ASP Sohail Aziz, SDPO Kotri, PDSP Sohail Siddiqui, on behalf of DIGP Hyderabad, and Ms. Fouzia Ashraf, Deputy Director Women Development Department.

Mr. Jhamat Jethanand, Advocate/Member of Syndicate Sindh University.

Mr. Sajjad Ahmed Chandio, Amicus Curie.

Mr. Ali Ahmed Palh, Advocate, has filed power on behalf of Nisar Ahmed and Nizamuddin, brother and father of deceased Naila Rind, which is taken on record.

Learned A.A.G has submitted the reports of the Commissioner Hyderabad Division, SSP Jamshoro and DIGP Hyderabad Range alongwith annexures in compliance of order dated 26.09.2017, which are taken on record, the copies whereof have been supplied to other side for perusal and response, if any. Ms. Fouzia Ashraf, Deputy Director Women Development Department also in line with the directions in the said order has submitted her report, which is taken on record, a copy whereof has been supplied to other side for a perusal and reply. Learned Sessions Judge, Hyderabad, has communicated his report dated 24.10.2017 vide a letter dated 26.10.2017, which is taken on record. Office to supply a copy of this report to all the concerned for a perusal and reply, if any. Mr. Jhamat Jethanand seeks time to submit a report of University in line with the directions contained in Para-13 of the order dated 26.09.2017. Learned A.A.G is directed to submit a report of Chief Secretary and Secretary Boards and Universities in compliance of

directions contained in Para-13 of the said order. It has been informed that in compliance of the direction contained in Para-8 of said order “Girls Rescue Escort” has been established and it is working in the premises of University of Sindh for the purpose as stated in the said para. The Secretary, R.T.A, who is not present, shall also appear on the next date of hearing to reply the queries of the Court in respect of directions contained in Para-14 of the aforesaid order. On the next date all the parties shall be present to argue this petition on merit.

Adjourned to a date to be fixed after the Sessions Judge, Hyderabad submits his final report in terms of the said order.

JUDGE

JUDGE

Ali Haider

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

C.P No.D-3109 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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26.10.2017.

Mr. Nisar Ahmed Durrani, Advocate for petitioner.

Mr. Allah Bachayo Soomro, A.A.G alongwith Mr. Yar Muhammad Mirjat, Focal Person, Transport and Mass Transit Department Karachi.

Mr. Faisal Nadeem Abro, Advocate for respondent No.5.

Learned A.A.G has filed a statement of respondent No.1 alongwith certain annexures, which is taken on record, a copy whereof has been supplied to the learned Counsel for the petitioner who seeks time to go through the same and reply, if any.

Adjourned to a date in office.

JUDGE

JUDGE

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

C.P No.D-3356 of 2017

DATE ORDER WITH SIGNATURE OF JUDGE

1. For orders on M.A 14004/17
2. For orders on office objection
3. For orders on M.A 14005/17
4. For Katcha Peshi.
5. For orders on M.A 14006/17

26.10.2017.

Mr. Syed Muhammad Saulat Rizvi, Advocate for
petitioners.

1. Urgency granted.
 2. Deferred for the time being.
 3. Exemption is granted subject to all just exceptions.
- 4&5. It is, inter alia, contended that the petitioner is Engineer in HESCO working in Grade 19, he has been malafidely imposed the penalty of “Censures” as well as the penalty of “withholding of one annual increment for a period of one year without cumulative effect” vide office orders dated 23.10.2017 and 25.10.2017 respectively by the respondents although the inquiry in respect of those allegations had started by the department in the year 2015. And this has been done because the meeting of Board for Promotion and Selection in which the case of the petitioner would be considered is scheduled to take place on 27th / 28th of this month, and if with such penalty on the service record, his case for promotion is sent, he would not be considered eligible for promotion even on merits.

Let notices be issued to the respondents as well as learned D.A.G for 20.11.2017. Meanwhile, if the name of the petitioner is already in the list of candidates forwarded to said Promotion Board for consideration of his promotion, the same may be considered on merits without taking into account the impugned orders / penalties but the result of such consideration shall not be released till decision of this petition.

JUDGE

JUDGE

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

C.P No.D-2005 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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26.10.2017.

Mian Taj Muhammad Keerio, Advocate for petitioner.

Mr. Allah Bachayo Soomro, A.A.G.

Learned Counsel for the petitioner has filed a statement alongwith copy of C.P No.D-1509/2013 and order thereon, which are taken on record.

Today learned Counsel for respondents No.2 to 6 and 10 is not present and we have been informed that he comes from Karachi. In the circumstances, we as this petition is ripe for final arguments order to issue intimation notice to him at his office address with direction to appear and proceed with this matter on the next date of hearing.

Adjourned to 27.11.2017.

JUDGE

JUDGE

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

C.P No.D-378 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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26.10.2017.

None present for petitioners.

Mr. Imran Qureshi, Advocate for respondents No.3 and 4
alongwith Shahid Ali Khan, Municipal Commissioner,
HMC.

Mr. S.M Naveed Farooqui, Advocate for respondent No.2.

Mr. Anwar H. Ansari, State Counsel.

This petition has already been dismissed in non-prosecution vide order dated 10.10.2017. However, due to non appearance of the Municipal Commissioner, HMC on that date despite service upon him,ailable warrants were issued against him and in reply of which he has appeared today and has sought forgiveness on the ground that he was ill on 10.10.2017, therefore, could not come.

In the above circumstances, the order of issuance ofailable warrants is hereby recalled.

JUDGE

JUDGE

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

C.P No.D-2073 of 2013

DATE	ORDER WITH SIGNATURE OF JUDGE
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26.10.2017.

Mr. Mumtaz Alam Laghari, Advocate for the petitioners.

Mr. Allah Bachayo Soomro, A.A.G.

Mr. Jagdish R. Mullani, Advocate, undertakes to file power on behalf of legal heirs of respondent No.1 on the next date of hearing.

Let notices be repeated on the respondents No.2 to 4 through all modes of service except publication for a date to be fixed by the office after four weeks.

JUDGE

JUDGE

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

C.P No.D-1491 of 2013

DATE	ORDER WITH SIGNATURE OF JUDGE
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26.10.2017.

Mr. Mumtaz Alam Laghari, Advocate for the petitioners.

Mr. Allah Bachayo Soomro, A.A.G.

Learned Counsel for petitioners states that in view of change in the nomenclatures of some of the respondents, he would file amended title of the petition within three days. Office to issue notices to the newly added respondents in case the amended title of the petition is filed within three days.

Adjourned to 05.12.2017.

JUDGE

JUDGE

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

C.P No.D-702 of 2013

DATE	ORDER WITH SIGNATURE OF JUDGE
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26.10.2017.

Mr. Karamullah Memon, Advocate for petitioners.

Mr. Allah Bachayo Soomro, A.A.G.

Still the compliance in line with the order dated 07.09.2017 has not been filed and learned A.A.G in this regard seeks time on the ground that a relevant summary has been floated which is in the process, therefore, we grant one month's time to learned A.A.G to submit compliance report.

Adjourned to 04.12.2017.

JUDGE

JUDGE

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

C.P No.D-148 of 2012

DATE	ORDER WITH SIGNATURE OF JUDGE
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26.10.2017.

Mian Taj Muhammad Keerio, Advocate, holds brief for Mr. Ahsan Gul Dahri, Advocate for petitioner.

Mr. Allah Bachayo Soomro, A.A.G. alongwith Ghulam Ali Birhmani, DEO, Shaheed Benazirabad.

Learned A.A.G has placed on record the copy of the advertisement in terms of which the petitioner has applied for the post of Laboratory Attendant, which is taken on record.

Learned Counsel for petitioner is reportedly busy before Principal Seat at Karachi and Mian Taj Muhammad Keerio, Advocate, holding brief on his behalf is seeking adjournment.

Adjourned to a date in office.

JUDGE

JUDGE

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

C.P No.D-86 of 2007

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of MA 2206/07
2. For hearing of MA 2207/07

26.10.2017.

Mr. Bhagwan Das Bheel, Advocate for petitioner.

Mr. Jhamat Jethanand, Advocate for intervenor.

Mr. Allah Bachayo Soomro, A.A.G alongwith Niaz Ahmed,
Deputy District Education Officer Mirpurkhas on behalf of
Director Secondary Education Mirpurkhas and District
Education Officer Mirpurkhas.

Let notices of listed applications be repeated to the respondents
and intimation notice to Mr. Zahoor A. Baloch, Advocate at his office
address with direction to proceed with the matter on next date.

To come up on 09.11.2017 alongwith C.P No.D-114 of 2010.

JUDGE

JUDGE

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

C.P No.D-2144 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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26.10.2017.

Ms. Rehana Siddiqui, Advocate for petitioner.

Mr. Anwar H. Ansari, State Counsel.

Mr. Wali Muhammad Jamari, who was representing respondents No.4 and 5 has been appointed as Assistant Advocate General Sindh, therefore, let intimation notice be issued to the respondents No.4 and 5 for the next date.

Adjourned to 16.11.2017.

JUDGE

JUDGE

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

C.P No.D-48 of 2015
C.P. No.D-1692 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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26.10.2017.

Mr. Muhammad Sachal R. Awan, Advocate for petitioner.

Mr. Sher Muhammad Laghari, State Counsel alongwith P.I
Syed Manzoor Ali on behalf of SSP Hyderabad.

Not before a Bench of which one of us “Muhammad Iqbal
Kalhor,J” is a Member.

As learned Counsel for the petitioner has pleaded urgency,
therefore, adjourned to 01.11.2017. To be fixed as per roster.

JUDGE

JUDGE

ORDER SHEET
**IN THE HIGH COURT OF SINDH
CIRCUIT COURT HYDERABAD**

DATE	ORDER WITH SIGNATURE OF JUDGE
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30-10-2017

Mr.

We have seen the record. This constitutional petition has been filed against the order passed by learned Sessions Judge, Tando Muhammad Khan as Ex-Officio Justice of Peace on an application under section 22-A & B Cr.P.C., on the premise that such being the administrative order is amenable only to the constitutional jurisdiction. However, the Honourable Supreme Court in the case of **Younas Abbas and others v. Additional Sessions Judge, Chakwal and others (PLD 2016 SC 581)** has held that the order passed by the Ex-Officio Justice of Peace is *quasi judicial* order and is amenable to judicial review. We, therefore, are minded that such orders could be judicially reviewed by this Court under its inherent powers instead of resorting to constitutional jurisdiction, which is exercised, *inter alia*, when no other adequate and efficacious remedy is available to the aggrieved party. This legal position has been confirmed by learned counsel for the respective parties as well as learned AAG. In the circumstances, we convert this petition into criminal miscellaneous application and direct the office to assign it a number accordingly and fix the same before learned Single Bench of this Court after due notice to all the parties concerned.

JUDGE

JUDGE