

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**CP No. D-1947 of 2019**

(Danial Siddiqui v. The Province of Sindh & Others)

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

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1. For Hearing of CMA No. 23810 / 2019 (Stay App)
2. For Hearing of CMA No. 23811 / 2019 (Contempt App)

**20-3-2025**

Mr. Abid Ali Thebo, Advocate for Petitioner  
Mr. Mehran Khan, Additional AG

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1. Through the listed contempt application (CMA No.23811/2019, presented on 21.8.2019) ("**Contempt Application**"), the Petitioner has alleged non-compliance with this Court's order of 1.8.2019. Its operative part is reproduced below:

*The only grievance of the petitioners left is that appropriate notification in terms of Section 5(A) of Land Acquisition Act, 1894 has not been issued before issuance of notice under section 6 of the ibid Act. Section 6 empowers the authority to issue a notification under section 6 in case the land is required for public purpose. Notification under section 6 of Land Acquisition Act, 1894 has already been issued which is available at page 97 and admittedly objections to such award are pending in the shape of Reference before District & Sessions Judge Thatta. The grievance of the petitioners could well be addressed through their objections which are pending in Reference and the concerned Judge may hear the petitioners with reference to their objections pending in the shape of Reference expeditiously in accordance with law. The points and grounds raised in these petitions may also be taken into consideration by the District & Sessions Judge at the time of disposal of the Reference. In the meantime respondents may continue with their contract in accordance with law and the specifications. Petition stands disposed of in the above terms along with pending applications.*

2. After filing of the Contempt Application on 21.8.2019, this Court by order dated 19.9.2019 directed the Petitioner to approach the concerned court.
3. The Contempt Application (in paragraph 3) alleges disobedience of the Court's aforesaid order due to non-adherence to the Court's direction, which states: "***In the meantime respondents may continue with their contract in accordance with law and the specifications***".
4. The aforesaid Court observation does not confer any right upon the Petitioner; rather, it merely acknowledges the Respondents' ability to

proceed with their contractual obligations in accordance with the governing legal framework.

5. The Petitioner's Counsel then contended that the District & Sessions Judge, Thatta ("**Judge**"), did not hear the Petitioner's objections pending in the form of a Reference, nor did he consider the points and grounds raised in this Petition.
6. While no such allegations have been made by the Petitioner in his Contempt Application, these remain mere verbal assertions unsupported by any documentary evidence. No copy of the Reference has been placed before this Court to verify what objections were raised or whether the additional points and grounds from this Petition were presented before the learned Judge. Likewise, no order issued by the said Judge has been submitted for perusal, making it impossible for this Court to ascertain the accuracy of the Counsel's claims.
7. Notwithstanding the above, the mere fact that the Petitioner's concerns, as stated in the objections, were not considered by the learned Judge while disposing of the Reference, or that the Reference was decided against the Petitioner, does not give rise to contempt. Nor does dissatisfaction with a judicial order constitute contempt. This is because this Court's order primarily required that the Petitioner's objections be heard and considered in accordance with the law; it did not mandate a specific outcome or require the Judge to rule in the Petitioner's favour – nor could it have done so under any circumstance. Judicial discretion remains with the learned Judge to evaluate the objections based on their legal merits and the evidence presented. If the Petitioner is not satisfied with the order passed, he may pursue the remedies available to him under the *Land Acquisition Act, 1894*, to challenge the decision. Contempt proceedings are warranted in cases of wilful defiance of a court's directive, not for alleged errors in adjudication.
8. In light of the above, the Petitioner has no valid grounds to assert a claim of contempt of court. The contempt application being misconceived, is accordingly **dismissed**.

**JUDGE**

**JUDGE**