

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CP No. D-1225 of 2025

(*Hamza Siraj v. Province of Sindh & Others*)

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

- 1. For Orders on CMA No. 7410 / 2025 (Urgent App)
- 2. For Orders on Office Objection No.1, 2, 3 & 6
- 3. For Orders on CMA No. 6321 / 2025 (Exemption App)
- 4. For Orders on CMA No. 6322 / 2025 (O 40 R. 1 & 2 CPC)
- 5. For Orders on CMA No. 6323 / 2025 (Stay App)
- 6. For Hearing of Main Case

17-4-2025

Mr. Imdad Ali Bhatti, Advocate for Petitioner

- 1. **Sana Akram Minhas J:** The Petitioner asserts ownership of an immovable property and claims to be aggrieved by verbal threats of unlawful dispossession and demolition of his residential premises. These threats are allegedly being issued by official Respondent No.3 (SHO, Surjani Town) and Respondent No.6 (SSP, Encroachment Department). The Petitioner further contends that he sought assistance from higher-ranking officials viz. Respondent No.4 (SSP, Karachi West) and Respondent No.5 (DIG, Karachi West), but his grievances were met with inaction.
- 2. When queried as to why the Petitioner had directly invoked the constitutional jurisdiction of this Court without first resorting to the remedy of filing an application under Section 22-A and 22-B of the *Criminal Procedure Code, 1898* (“**Cr.PC**”) before the Justice of Peace, learned Counsel for the Petitioner weakly argued that, since the alleged perpetrators are police officials themselves, approaching the Justice of Peace would be futile. This contention is misconceived. The forum of the Justice of Peace is fully empowered to entertain complaints against police misconduct, including the issuance of directions for registration of FIRs and provision of protection where warranted by the circumstances.
- 3. In view of the above, the Petitioner appears to have bypassed an adequate and efficacious remedy without justification. Therefore, the Petition is premature and not maintainable at this stage. The Petitioner is advised to first avail the remedy under Sections 22-A and 22-B Cr. PC before seeking intervention from this Court in its extraordinary jurisdiction under Article 199 of the *Constitution of Pakistan, 1973*. Consequently, this Petition is **dismissed in limine.**

JUDGE

JUDGE