

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CP No. D-2219 of 2025**

(*Anjuman Moondra (Saakh Pota) Jamat v. Province of Sindh & Others*)

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

1. For Orders on CMA No. 10769 / 2025 (Urgent App)
2. For Orders on Office Objection No.1 to 6
3. For Orders on CMA No. 10770 / 2025 (Exemption App)
4. For Orders on CMA No. 10771 / 2025 (Stay App)
5. For Hearing of Main Case

26-5-2025

Mr. Muhammad Arif, Advocate for Petitioner

1. **Sana Akram Minhas J:** The Petitioner, a welfare association, seeks restoration of its cancelled registration (bearing No.0485 of 1986), which it claims was cancelled without prior notice. The Petitioner asserts that it became aware of the cancellation through a letter dated 9.11.2021 (**Court File Pg. 43, Annex D**). In addition to restoration, the Petitioner also seeks cancellation of the registration (bearing No.037 of 2021) granted to Respondent No.3 – an association registered on 19.1.2022 (**Court File Pg. 71, Annex L-2**) – allegedly established by certain members formerly affiliated with the Petitioner.
2. The record reflects that upon learning of the cancellation through the letter dated 9.11.2021, the Petitioner submitted an application for restoration, which was declined by the Respondent No.2 vide letter dated 14.1.2022 (**Court File Pg. 53, Annex I**).
3. When confronted with the issue of delay in approaching this Court, learned Counsel for Petitioner explained that the Petitioner had been actively pursuing the matter before the Provincial Ombudsman (**Court File Pg. 119, 125 & 141, Annex P, Q & U**), who eventually issued a Decision dated 6.5.2025 (**Court File Pg. 173**), communicated via letter dated 14.5.2025 (**Court File Pg. 171, Annex X**).
4. A perusal of the Provincial Ombudsman's Decision dated 6.5.2025 (particularly paragraph 6 titled "*FINDINGS*") reveals that the Petitioner was found to have committed several violations of its Byelaws, most notably its failure to submit the annual list of office bearers for the past 17 years, despite repeated public notices. This prolonged non-compliance rendered

the association dormant, ultimately leading to the cancellation of its registration. As for the allegations of misappropriation and moral turpitude levelled against the new office bearers (of Respondent No.3), the Ombudsman held that such issues involved disputed facts requiring evidentiary determination, which fell within the domain of the competent civil court.

5. Having voluntarily invoked the jurisdiction of the Provincial Ombudsman, the Petitioner is bound to abide by the outcome of that forum, and cannot simultaneously seek recourse to the constitutional jurisdiction of this Court under Article 199 of the *Constitution of Pakistan, 1973*, while continuing to rely on proceedings before the Ombudsman. If aggrieved by the Decision dated 6.5.2025, the Petitioner must first exhaust the remedies available under the law – whether by way of appeal, review, or any other prescribed mechanism – before approaching this Court for parallel relief.
6. In view of the foregoing, this Petition, being misconceived, is accordingly **dismissed in limine**.

JUDGE

JUDGE