

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

J.C.M. 6 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on office objection
2. For hearing of CMA No.79/2026
3. For hearing of CMA No.107/2026
4. For hearing of main case

17.02.2026

Mr. Arbaz Waseem, advocate for the applicant.
Mr. Salahuddin Ahmed, advocate for the respondent No.1
Mr. Omer Memon, advocate for respondent No.2.

This J.C.M. was preferred on 03.02.2026. Primary relief sought is with respect to forestall any attempt to remove the petitioner from the office of Chief Executive Officer of respondent no. 1.

Notice was issued on 10.02.2026 and along therewith orders were passed for maintenance of status quo.

Immediately upon service of notice CMA No.107 of 2026 was filed by the respondents seeking discharge etc. of the ad-interim order.

It was argued by the respondents' learned counsel that the applicant has misled the court to obtain interim relief. it was argued that while the primary relief sought was to prevent any future attempt to unseat the applicant as ceo, however, the meeting of the minutes of meeting of the Board of Directors dated 07.01.2026 demonstrate, at Resolution A, that the petitioner / applicant was already removed from the office of ceo almost a month prior to institution of the present proceedings. The minutes are available at page 327 with the relevant portion being at page 333.

It was also argued that applicant had earlier filed a civil suit and upon failure to obtain the desired interim relief had withdrawn the same and unwarrantedly approached this court in its Company jurisdiction. It was further pleaded that the dispute with the applicant was also subject matter of Suit 312 of 2026. It was also pleaded that the present proceedings were also intended to thwart the proceedings pending before the forum of competent jurisdiction.

Learned counsel sought to demonstrate that under the garb of the interim order the applicant in fact sought to vitiate his month old removal from the office of ceo and was undertaking actions *prima facie* prejudicial to the interests of the company, respondent no. 1. Reliance was placed upon documentation available at pages 139 to 147 of the second part of the file.

Since a case for immediate intervention by the court was made out on the last date, therefore, notice was issued to the applicant. However, in the interest of proprietary the earlier interim order was not disturbed pending service of notice upon the applicant.

The bailiff report demonstrates that service has been effected upon the applicant. Notwithstanding the foregoing, neither the applicant nor his earlier learned counsel is present. Mr. Arbaz Waseem advocate is present only to seek an adjournment. In view of the gravity of situation demonstrated

before the Court, he was asked whether the applicant / petitioner himself would be available to assist today; he responded in the negative.

The arguments articulated by the respondents' learned counsel are serious in nature and warrant immediate mitigation. The applicant has opted to remain absent despite opportunity of personal hearing also having been extended. In view hereof, it is observed that respondents' learned counsel have made out a *prima facie case* for grant of their application, hence, CMA No.107 of 2026 is allowed and the interim order dated 10.02.2026 is recalled / vacated.

As a corollary to the aforesaid, CMA No.79 of 2026 is dismissed for non-prosecution and applicant is hereby put on notice to satisfy this court on maintainability of the present proceedings.

Judge

Amjad