

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
C.P.No.D-308 of 2026

(Waryam Chachar v/s. P.O.sindh and others)

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection "A".

2. For orders on M.A.No. 1278/2026 (E/A).

3. For orders on maintainability of main case.

24.09.2026

Mr. Altaf Hussain Surahiy, Advocate for the Petitioner.

RIAZAT ALI SAHAR, J.: It is, inter alia, contended by learned counsel for the petitioner that the petitioner is a prosecution witness in Crime No.15 of 2024, registered at Police Station Durani, Taluka Kandhkot, for offences under Sections 337-A(i)(ii), 337-F(i), 506(2), 452, 114, 147 and 148, P.P.C., wherein his nephew, namely Shah Muhammad son of Shah Nawaz Chachar, is the complainant and Respondent No.8 is nominated as an accused.

2. Learned counsel further contends that Respondent No.8 had applied for the post of Primary School Teacher and was subsequently appointed vide Appointment Order dated 30.06.2025. According to him, Respondent No.8 secured such appointment by submitting false, bogus and forged documents relating to his character and antecedents, allegedly in connivance with the official respondents. He, therefore, seeks cancellation of the appointment of Respondent No.8.

3. We have heard learned counsel and perused the material available on record. From the petitioner’s own showing, it appears that there exists a pre-existing dispute and admitted hostility between the petitioner’s side and Respondent No.8. The petitioner is a witness in the criminal case lodged by his nephew against Respondent No.8. It is against this background that the present petition has been instituted seeking, in substance, cancellation of the appointment of Respondent No.8.

4. Although a writ in the nature of quo warranto may ordinarily be sought even by a person who does not claim any personal right to the office in question, such jurisdiction is essentially intended to examine the

legality of a person's authority to hold a public office and is not meant to be invoked as an instrument for settling personal scores or pursuing private disputes. A person invoking such extraordinary constitutional jurisdiction is, therefore, expected to approach the Court bona fide and in the public interest, rather than for advancement of a personal grievance arising out of admitted hostility between the parties.

5. In the present case, the circumstances disclosed by the petitioner himself demonstrate a direct personal dispute between his side and Respondent No.8. The petition, viewed in that background, does not appear to have been instituted as a bona fide public-law challenge to the authority of Respondent No.8 to hold the post, but rather stems from the pre-existing personal controversy between the parties. We are, therefore, not persuaded to exercise our discretionary constitutional jurisdiction in the circumstances of the present case.

Accordingly, the instant petition is **dismissed** in *limine*.

Judge

Judge

Manzoor