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PRESENTED
21/12/2011
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IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.

Constt: Petition No. ²⁹⁰⁶ of 2011.

Sirajuddin S/o Muhammad Yaseen,
Muslim, Adult, by caste Rajput,
R/o Naushahro Feroze Town,
Taluka & District Naushahro Feroze.Petitioner.

Versus

1. **Executive Director Education,
& Training (South) Baharia Foundation,
Karachi.**
2. **Principal,
Baharia Foundation College,
Naushahro Feroze.**
3. **District Coordination Officer,
Naushahro Feroze.**
4. **Muhammad Ramzan,
Contractor, Tuck Shop Baharia Foundation,
College Naushahro Feroze.**

.....Respondents

**CONSTITUTION PETITION UNDER ARTICLE 199
OF THE CONSTITUTION OF ISLAMIC REPUBLIC
OF PAKISTAN, 1973.**

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

CONSTITUTION PETITION NO.D-2906 OF 2011

1. For orders on C.M.A No. 372 of 2012
2. For Katcha Peshi.

21.11.2012

Mr. Rana Hafiz Tanveer Ahmed, for the Petitioner
Mr. Imtiaz Ali Soomro, AAG, for the State

Mr. Malik Muhammad Tariq files vakalatnama on behalf of
respondent No.2, same is taken on record.

Through this petition, petitioner seeks following relief(s):-

- a. That, this Honourable Court may kindly be pleased to direct the respondents No.1 & 2 to lease out the tuck shop of Bahria Foundation College, Naushahro Feroze to the petitioner till the settlement of the accounts of construction of tuck shop, incurred by the petitioner himself, recovery of outstanding amount of Rs.250,000/= from the respondent No.2 and his staff and selling of articles worth of Rs.700,000/= of petitioner lying in the tuck shop.
- b. That, on in alternate, the Honourable Court may be pleased to direct the respondents No. 1 to 4 to settle the accounts with the petitioner in appropriate modes so that the petitioner could be saved from the financial losses.
- c. That, the respondent No.2 may be saddled with costs of petition.
- d. That, any other relief, which this Honourable Court deems fit and appropriate under the circumstances, may be awarded to the Petitioner.

Through these pleadings, Petitioner seeks settlement of account, with the respondents as well as recovery of outstanding amount. It further appears that prior to filing of this petition, petitioner brought suit against the respondents which was dismissed by the trial Court vide Order dated 05.08.2011; following which, Petitioner preferred an appeal but could not succeed.

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Since petitioner seeks relief(s) which can not be granted without recording the evidence.

In view of above, instant petition is dismissed. However; petitioner is at liberty to avail proper remedy by approaching the concerned Court.


JUDGE


JUDGE

Brohi