

ORDER SHEET
**HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**
C.P No.D-2701 of 2016.

<i>DATE</i>	<i>ORDER WITH SIGNATURE OF JUDGE</i>
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1. For hearing of M.A No.1107/25.

05.06.2025.

Respondent No.1 Muhammad Arif is present in-person.

Mr. Allah Bachayo Soomro, Addl: A.G Sindh.

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The instant Application has been filed by Respondent No.1 (Muhammad Arif), whereby he seeks release of the amount which was deposited by the Petitioner before this Honourable Court pursuant to Order dated 11.05.2009. Respondent No.1 was an employee at the Petitioner Mills, after which he challenged his dismissal. Accordingly the Labour Court No.VI - Hyderabad passed order dated 13.04.2009, whereby the Petitioner was directed to re-employ Respondent No.1 back, with full back benefits.

Against such order, the Petitioner filed the instant Constitutional Petition, which has remained pending for several years. However, it appears from the record the Petitioner did not seem to be actively pursuing the matter, and sought repeated adjournments on one pretext to another. Eventually, vide order dated 11.05.2009 this Honourable Court directed the Petitioner to deposit Rs.250,000/- before Additional Registrar of this Court to secure Respondent No. 1, which was duly complied. Subsequently, vide order dated 17.08.2023 this Petition was dismissed for non-prosecution, and it was directed that the amount deposited with the Additional Registrar be disbursed to Respondent No.1, along with whatever profit / interest accrued thereon. The Additional Registrar has submitted two reports dated 05.03.2025 and 02.06.2025 respectively, wherein he states that certain amounts (being the deposit plus interest) are currently lying with the Accountant of this Court in safe custody, pursuant to this Court's order dated 11.05.2009.

As it appears the Respondent No.1 has a clear order in his favour, and has been made to run from pillar to post since the year 2009, but he has remained

unable to enjoy his entitlement due to prolonged litigation and lethargy on behalf of the Petitioner, and therefore Respondent No.1 has remained unduly suffering. Today again the Respondent No.1 appeared in-person simply seeking the funds deposited in this Court, against which there appears no impediment for release of the same. Unless any other legitimate cause is shown, it is therefore directed that the Additional Registrar of this Court should immediately release the said deposited amount along with any profit / interest accrued to the Respondent No.1, in compliance with Order dated 17.08.2023, after proper verification.

Accordingly, the Application stands disposed of in the above terms.

JUDGE

JUDGE

Ali.