

Judgment Sheet
IN THE HIGH COURT OF SINDH, KARACHI
High Court Appeal No.26 of 2025
(Samreen Sajjad **vs.** Hyderabad Electric Supply Company (HESCO))

High Court Appeal No.27 of 2025
(Muhammad Shakeel **vs.** Hyderabad Electric Supply Company (HESCO))

High Court Appeal No.28 of 2025
(Shafiq Ahmed **Vs.** Hyderabad Electric Supply Company (HESCO))

High Court Appeal No.29 of 2025
(Sharafat Yar Khan Zai **vs.** Hyderabad Electric Supply Company (HESCO))

High Court Appeal No.30 of 2025
(Muhammad Anwar **vs.** Hyderabad Electric Supply Company (HESCO))

High Court Appeal No.31 of 2025
(Tariq Ahmed **vs.** Hyderabad Electric Supply Company (HESCO))

Fresh case

1. For order as on CMA No.1423/2025
2. For orders on office objection
3. For hg. of main case

30.10.2025

M/s. Aamir Maqsood and Farukh Usman, advocate for appellant

J U D G M E N T

Muhammad Iqbal Kalhoro, J:- Appellants filed different suits for recovery of amounts under the provisions of the Fatal Accident Act, 1855, against the injuries sustained by them on account of a transformer blast at Hyderabad owing to the negligence, default and wrongful act of Hyderabad Electric Supply Company (**HESCO**), the respondent. In the said suits, HESCO filed applications under Order VII Rule 10 CPC for returning the plaints to be filed in the relevant Court at Hyderabad on the ground that, in those suits, there was only one respondent and it was situated within the local jurisdiction of the relevant Court at Hyderabad.

2. This application was resisted by the appellants on the ground that the injured and the deceased were taken to hospitals at Karachi, hence, the Court at Karachi had the jurisdiction to hear the case.

3. The impugned order shows that the appellants did not pursue the suits or the said applications as required and ultimately, the suits were dismissed in non-prosecution. Subsequently, their applications for restoration were allowed, and the applications were heard and decided in favour of HESCO. Hence, these appeals.

4. No one is present on behalf of respondents despite repeated notices. We have considered submissions of learned counsel for appellants and gone through the impugned order. The mere fact that some of the injured and deceased were taken to the hospital at Karachi for treatment would not confer jurisdiction to the Courts at Karachi to entertain the suits against the defendant, wholly stationed within the local limits of Courts at Hyderabad. As per the scheme of section 20 of C.P.C., the suits are to be instituted where either the defendant resides or cause of action arises. Apparently, in these cases, even the cause of action, i.e. the transformer blast, happened within the local limits of Courts at Hyderabad, resulting in injuries / deaths to the victims. We, therefore, find no illegality in the impugned order and dismiss these appeals along-with pending application(s).

This High Court Appeals are disposed of in above terms. Office to place a copy of this order in connected appeals.

JUDGE

JUDGE

Rafiq/P.A