

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH,**  
**CIRCUIT COURT, MIRPURKHAS**  
**C.P.No.D-12 of 2024**

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
<u>26.11.2025</u>	<p>None present for petitioner. Mr. Muhammad Sharif Solangi, AAG along with Irshad Hussain Town Officer Dipilo. =</p>

This petition was disposed of vide order dated 17.11.2022, with the following directions.

*“4. Learned AAG has submitted that as per the report of Accountant Town Committee Tando Ghulam Hyder the petitioner has received payment on account of salary with effect from 1.1.2011 to 31.5.2012 from Town Committee Tando Ghulam Hyder on 21.2.2017 vide cheque No.18613873 and his affidavit, related audit salary bills are available on record thus he is not entitled to further amount.*

*5. This petition stands disposed of in terms of the statement of learned AAG. However, the respondents are directed to look into the salary issue of petitioner for the period i.e 05.09.2013 to 26.11.2014, and if the petitioner is at all entitled to that amount the same must be attended to under the law, and if the petitioner after that, feels his cause still subsists he is at liberty to avail his remedy under law.”*

The alleged contemnor is present in compliance with the Court order dated 19.11.2025 and submitted written reply with the following narrations:-

*“1. The Contempt Petition is misconceived, as it is filed against a respondent who has fully complied with the law. The payments claimed by the petitioner for the awaiting posting period were already made well before the order of this Honourable Court, and therefore there was no question of disobedience.*

*2. That the undersigned respondent/ contemnor No 02 recently joined the office almost 03 months ago and was not aware of the prior proceedings. The answering contemnors/respondents did not receive any notice or intimation of the earlier or proceedings; they*

came to know about the matter only upon receiving the last order of this Court. Upon receipt of the Court's order, he immediately examined the records and ensured full compliance. There is no willful disobedience or deliberate contempt on his part.

3. That the records of Town Committee Diplo show that the petitioner received payment for the awaiting posting period (05-09-2013 to 26-11-2014) as follows:

Cheque No. 15436075 dated 01-12-2015 for Rs. 582,000/- cleared on 07-12-2015 (as per Sindh Bank, Branch Mithi statement). Such payment is duly reflected in the cheque register of Town Committee Diplo and the official bank statement, confirming full settlement of the petitioner's entitlement. (Photostate cheque, Cheque Register and Bank statement are annexed as annexure A, A-1 & A-2 Respectively).

4. That the petitioner has deliberately concealed the fact of prior payments made in 2015 which clearly available as part of the record. Petitioner also produced unauthenticated "No Inquiry / No Dues/No Audit Objection" certificates which are internally inconsistent, lacking stamp, date, or outward number, and signed by a person not competent/authorized to issue them.

5. That the Petitioner has misappropriated a Government vehicle (Corolla GL-7631, Engine No. X-161550, Chassis No. NZE-120-6042360) and failed to return it despite multiple official correspondences made to him letters to the Secretary, hence applications have been made to Local Government. Sindh requesting FIR and other legal action. (Photostat copies of such applications are annexed herewith as annexure B)

6. That a person misappropriating government property cannot seek relief for contempt and approaches the Court with unclean hands.

7. That it is respectfully submitted that The Honorable Court had directed respondents to "look into the salary issue and if the petitioner is at all entitled, the same must be attended to under law". Respondent No. 2, upon assuming office, verified the records and confirmed full payment was already made.

8. That the answering respondents/contemnors acted in good faith, within the law, and with due diligence. Petitioner's attempt to allege contempt is *mala fide* and factually baseless, and intended to mislead that the Court and conceal prior payments and misconduct

9. That the answering respondents/contemnors respect the orders of this Court and are ready to provide any further verification the honorable Court may require, and is ready to comply with any further order falling under his domain to act by this honorable court. In view of above submissions it is respectfully prayed that this Honourable Court may be pleased to:

- a) Dismiss the Contempt Petition filed by the petitioner, being factually baseless and mala fide.*
- b) Recognize that the answering Respondents/contemnors has fully complied with the Court's orders, including verification of petitioner's entitlement.*
- c) Take notice of the petitioner's concealment of prior payments and misappropriation of Government property.”*

He submits that Rs.5,82000/= have already been paid to the petitioner and the remaining amount will be disbursed in accordance with law.

To come up on 17,12,2025.

JUDGE

JUDGE

**Ahmed/Pa,**