

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P No.D-276 of 2026

[*Aamir Augustin v. Diocese of Hyderabad and 06 others*]

Before:

Justice Arbab Ali Hakro

Justice Riazat Ali Sahar

Petitioner by : Mr.Muhammad Irfan Awan, Advocate

Respondents by : Nemo

Dates of Hearing : **19.02.2026**

Date of Decision : **19.02.2026**

ORDER

ARBAB ALI HAKRO J:- The petitioner has invoked the constitutional jurisdiction of this Court under Article 199 of the Constitution, seeking (i) reinstatement in service with all consequential benefits, or in the alternative, a direction to the civil Court to decide Civil Suit No.1744 of 2024 expeditiously; (ii) an inquiry into the affairs of respondent No.1; and (iii) suspension of the alleged verbal termination order dated 30.06.2020.

2. The concise facts emerging from the record show that the petitioner was employed by respondent No.1, a diocesan church body registered under the Societies Registration Act. His services were allegedly terminated verbally. He has already instituted Civil Suit No. 1744 of 2024 before the Court of VI Senior Civil Judge, Hyderabad, wherein he has sought a declaration, reinstatement, recovery of salaries, and damages. The suit is pending adjudication. The petitioner also relies on his acquittal in Criminal Case No.755/2020, in which the learned Magistrate observed that the prosecution's case was doubtful and extended the benefit of doubt to the accused.

3. Learned counsel for the petitioner argued that the termination violated Articles 9, 14 and 20 of the Constitution; that no written order was issued; that the petitioner's acquittal entitles him to reinstatement; and that the delay in the civil suit has rendered the alternate remedy ineffective.

4. We have heard the learned counsel for the petitioner and perused the material available on record. The relationship between the petitioner and respondent No.1 is purely private and contractual, and is governed neither by

statute nor by any public law. Respondent No.1 is not performing functions "in connection with the affairs of the Federation or a Province," nor does it fall within the category of a public authority amenable to writ jurisdiction in service matters. It is settled law that private bodies are not subject to constitutional jurisdiction in matters of master and servant.

5. The petitioner has already availed an adequate alternate remedy by filing a civil suit seeking the very reliefs now pressed before this Court. The existence and pendency of such a remedy bars the exercise of constitutional jurisdiction. The mere fact that the suit has not yet been decided does not convert a private employment dispute into a constitutional cause of action.

6. The petitioner's acquittal based on the benefit of doubt does not create any enforceable right to reinstatement in constitutional jurisdiction. Whether the termination was lawful, whether any inquiry was required, and whether the petitioner is entitled to reinstatement or damages are all questions of fact squarely within the domain of the civil Court.

7. The prayer seeking directions from respondents Nos. 5 and 6 to conduct an inquiry into the internal affairs of respondent No. 1 is also misconceived. No prior representation to the competent authority has been shown, nor can this Court, in *limine*, embark on a roving inquiry into the ecclesiastical governance of a private religious body.

8. The allegation that the petitioner has been obstructed from attending religious services is vague, unsupported by particulars, and does not justify issuance of a constitutional writ against private individuals.

9. For the foregoing reasons, the petition is wholly misconceived and not maintainable under Article 199 of the Constitution. It is accordingly **dismissed** in *limine*, along with the pending miscellaneous application(s).

JUDGE

JUDGE