

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

C. P No. D-362 of 2023

Before

*Mr. Justice Muhammad Saleem Jessar;
Mr. Justice Abdul Hamid Bhurgri.*

For hearing of M.A No. 4469/2025. (Contempt Application).

26-03-2026

Mr. Javed Ahmed Soomro, advocate for the petitioners along with petitioners.

M/s Muhammad Uzair Shaikh and Amir Ali Bhutto, advocates along with Noor Shar, Director, Community Colleges, Sukkur IBA, Ishfaque Ahmed Lashari, Registrar and Sarfraz Hussain Abbasi, Principal PSL.

Mr. Liaquat Ali Shar, Additional Advocate General Sindh along with Tariq Manzoor, Deputy Commissioner, Larkana defendant No.1 Safdar Ali Shah, Director School Education (E,S&HAS), Larkana Region.

ORDER

Abdul Hamid Bhurgri, J.- This petition was disposed of vide order dated 27.03.2025, the operative part whereof reads as under:

“Accordingly, instant petition is hereby disposed of and the matter is hereby referred to Board of Governors headed by the Vice Chancellor IBA University, with directions to summon all the parties and after providing equal opportunity of hearing to all concerned, decide the case of petitioners in terms of their prayer within 04 months’ time. A copy of order be sent through fax to Vice Chancellor, IBA University, being Chairman of the Board of Governors and to Deputy Commissioner concerned, who is member of the Board. Meanwhile, no coercive action shall be taken against the petitioners.”

2. Through the instant contempt application, the petitioners allege non-compliance of the aforesaid order.

3. Learned counsel for the alleged contemnors submits that, in compliance of the order of this Court, the matter was placed before the committee, whose recommendations were subsequently placed before the Board of Governors, and the same were duly considered and approved in its meeting held on 24.07.2025. The minutes of the said meeting have been placed on record.

4. Conversely, learned counsel for the petitioners contends that the order has not been complied with in its letter and spirit, particularly with regard to affording proper opportunity of hearing and consideration by the Board of Governors.

5. We have heard learned counsel for the parties and perused the material available on record.

6. From the record, it appears that pursuant to the directions of this Court, the matter was processed through the committee, and thereafter placed before the Board of Governors headed by the Vice Chancellor, which considered and approved the recommendations in its meeting dated 24.07.2025. Thus, substantial compliance of the order of this Court is evident.

7. It is settled law that contempt jurisdiction is attracted only in cases of willful and deliberate disobedience of the order of the Court. Mere dissatisfaction with the decision taken in compliance of the order, or alleged deficiency in the manner of compliance, does not constitute contempt.

8. In the present case, no material has been placed on record to demonstrate any willful or intentional disobedience of the order dated 27.03.2025. The grievance of the petitioners, in substance, relates to the outcome of the decision taken by the Board of Governors, which cannot be examined in contempt proceedings.

9. In view of the above, we find that no case for initiating contempt proceedings is made out. The application is misconceived and is hereby dismissed.

10. However, if the petitioners are aggrieved by the decision of the Board of Governors, they may avail any remedy available to them under the law before the competent forum, which shall decide the same strictly in accordance with law, independently and without being influenced by this order.

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