

IN THE HIGH COURT OF SINDH KARACHI

Const. Petition No. S-1455 of 2025
(Wasi Malik & another – vs – Federation of Pakistan & others)

Date	Order with signature(s) of Judge(s)
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Hg:/Priority.

1. For orders on office objections.
2. For hearing of Misc. No.9293/25
3. For hearing of main case.

16.09.2026.

Mr. Mukesh Kumar G. Karara, Advocate for the Petitioner.

Mr. Ghulam Hussain, Advocate for the Respondent.

ORDER

Nisar Ahmed Bhanbhro, J. This petition is directed against the order dated 26.01.2025 passed by the Vth Additional District & Sessions Judge Karachi-South in Civil Suit No. 1112/2025 wherein plaint of the suit was returned by invoking the provisions of Order VII Rule 10 of CPC.

Learned counsel for the Petitioner submits that he will be satisfied if in terms of clause 10 of contract agreement Respondents initiate arbitration proceedings to which learned counsel for the respondent submits that if an application to that extent is filed, the same shall be decided in accordance with law

Learned counsel for the Petitioner submits that such an application has already been filed with the Deputy Project Director, (Colonel Usman Asad), Deputy Director BCF Chaman, PMU CT-I, Chaman for referring the matter to an Arbitrator and submits that if the decision on the said application is made and matter is referred to for arbitration to the relevant authority in terms of clause 10 of the agreement, he will not press the instant petition.

In view of the above circumstances, this petition is disposed of with directions to the Respondent No.4 before whom application was pending, to decide the fate of the application dated 26.07.2023 filed by the Petitioner, available at page-153 of the court's File, for initiating arbitration proceedings strictly in accordance with law within a period of two months from the date of this order. Copy of this order shall be sent to Respondent No.4 for information and compliance.

JUDGE