

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

***Constitutional Petition No. S-139 of 2026.
(Gulzar Ali Shar vs. Province of Sindh and others)***

Fresh Case.

1. For orders on CMA No.394/2026
2. For orders on CMA No.395/2026
3. For hearing of main case.

13.05.2026.

Mr. Zahid Nawaz Shar, Advocate for the Petitioner.

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ORDER

ALI HAIDER 'ADA', J:- By invoking the constitutional jurisdiction of this Court, the Petitioner, Gulzar Ali Shar, has filed the instant petition seeking directions to the official Respondents to refrain from causing harassment to him and to ensure protection to his family members.

During the course of arguments, learned counsel for the Petitioner fairly conceded that prior to approaching this Court, the Petitioner had already availed the remedy before the learned Ex-Officio Justice of Peace, who had issued directions to the official Respondents for provision of protection. It is, however, contended that the said order has not been complied with by the concerned authorities.

Suffice it to observe that this Court, in exercise of its constitutional jurisdiction, does not act as an executing Court to enforce the orders passed by the learned Ex-Officio Justice of Peace. Where an order has already been passed by a competent forum, the appropriate course for the aggrieved party is to seek its implementation from the same forum in accordance with law.

It is well-settled that where an adequate and efficacious remedy is available, constitutional jurisdiction ought not to be invoked. In the present case, the Petitioner has an alternate remedy to approach the learned Ex-Officio Justice of Peace for enforcement

and compliance of its order. Reliance in this regard is placed upon the case law reported as *PLD 2019 Sindh 168*.

In view of the above, the instant petition, being devoid of merits and not maintainable in the present form, is hereby dismissed in *limine*, along with pending applications.

JUDGE