

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Const: Petition No. D-1990 of 2020

Date	Order with signature(s) of Judge(s)
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For orders as to non-prosecution.

8th October, 2026.

None present for the petitioner.

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Office has listed instant matter for order as to non-prosecution, as the petitioners and their counsel have failed to make compliance of office objections since very inception of instant petition, i.e. 31.01.2020.

Record reflects that on previous date of hearing, none had appeared on behalf of the petitioners. Nevertheless, in the interest of justice and by way of indulgence ten days' time was granted to the petitioners to make requisite compliance and to proceed with the matter. Today, again despite repeated calls, none has appeared on behalf of the petitioners, nor has any intimation regarding their absence been received. It is also an admitted position that the office objections remain unattended and no compliance has been made till date. Such conduct of the petitioners, viewed in backdrop of the history of instant petition, clearly demonstrates their lack of diligence and absence of any meaningful intention to pursue the proceedings.

Once a litigant invokes the constitutional jurisdiction of this Court, it is incumbent upon him to remain vigilant and to take all necessary steps for effective prosecution of the matter. The process of the Court cannot be permitted to remain pending indefinitely merely because the petitioner has chosen not to attend the proceedings or comply with the objections raised by the office. Repeated opportunities and indulgence granted by the Court cannot be claimed as a matter of right, particularly where litigant has failed to avail the same without any sufficient cause. Continued non-appearance of the petitioners

and their counsel, coupled with failure to remove office objections for more than six years, gives rise to a legitimate inference that either the grievance for which the instant petition was instituted has ceased to survive, or petitioners have otherwise lost interest in pursuing the same. In either eventuality, no useful purpose would be served by keeping the matter pending on the Court's docket. It is settled that extraordinary jurisdiction of this Court is discretionary in nature and cannot be invoked or retained at the convenience of a litigant. A party seeking relief from the Court must demonstrate due diligence, bona fides and a continuing intention to prosecute the proceedings. The petitioners, having failed to demonstrate any such diligence despite ample opportunity, cannot be allowed to hold the matter pending indefinitely. Consequently, for want of prosecution, the instant petition is dismissed in default along with all pending applications.

Before parting with this matter, office is directed to identify and place before the Court all such petitions of like nature in which the petitioners and/or their learned counsel have persistently failed to appear and have also failed to remove office objections despite repeated opportunities, particularly where such matters have remained pending for a considerable period without any effective proceedings so that appropriate orders may be passed in accordance with law. Let a copy of this order be placed before the learned Registrar of this Court for circulation amongst the concerned branches/officials and for ensuring strict compliance with the directions contained herein.

Judge
Head of Const. Benches

Aamir/PS_

Judge