

ORDER SHEET

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT
LARKANA**

***Constitutional Petition No. S-285 of 2024.
(Gulzar Ahmed vs Asif Ali)***

Date	Order with signature of Judge
1.	For orders on office objection.
2.	For hearing of main case.

05-10-2026.

Mr. Abdul Waris Bhutto, Assistant Advocate General

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This Constitutional Petition was filed on 29.07.2024. Thereafter, on 01.10.2024, learned counsel sought time for preparation; however, later on, he remained absent. On 18.03.2025, notices were issued, and thereafter, on 24.03.2025, the matter was fixed for non-prosecution on account of non-compliance with the office objections as well as non-payment of process fee. On 03.04.2025, none appeared on behalf of the petitioner, and on 15.04.2025, learned counsel again remained absent. Thereafter, on 17.08.2026 and 31.08.2026, none appeared on behalf of the petitioner. The matter was again taken up on 07.09.2026, but no one appeared on behalf of the petitioner.

Perusal of the record reflects that the instant Constitutional Petition has been filed against the order dated 27.04.2024, passed in Criminal Revision Application, whereby the application under Section 133, Cr.P.C. filed by the respondent was dismissed. The learned Revisional Court observed that directions had already been issued to the petitioner to remove the obstruction from the water outlet/mark within the specified period. Such direction, being

conditional in nature, was assailed by the petitioner through the instant petition.

At the outset, it is observed that constitutional jurisdiction is extraordinary in nature and cannot ordinarily be invoked where an adequate and efficacious remedy is available under the law. In the present case, the impugned order passed by the learned Revisional Court was amenable to the appropriate remedy provided under the scheme of the Cr.P.C., including the inherent jurisdiction under section 561-A, Cr.P.C.; however, the petitioner did not avail such remedy.

Even otherwise, the order dated 27.04.2024 passed by the learned II-Additional Sessions Judge, Mehar, does not call for interference in constitutional jurisdiction. The direction issued therein was conditional and required removal of the obstruction only if the alleged obstruction was found to exist.

In view of the foregoing, the impugned order does not call for any interference; therefore, the instant Constitutional Petition, being devoid of merit as well as not maintainable, is hereby dismissed.

JUDGE