

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Const: Petition No. D-2952 of 2026

Date	Order with signature(s) of Judge(s)
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1.For orders on CMA No.22550/2026
2.For orders as to non-prosecution.

11th September, 2026.

Raja Ghulam Masood, Advocate for petitioner.

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1&2. It has been noticed that, after the directions were issued by this court in number of petitions, directing the parties to make the requisite procedural compliance, applications of the present nature are being moved seeking urgent hearing, without disclosing any genuine or exceptional circumstance warranting such urgency. In the instant case, none of the grounds stated in the affidavit filed in support of the application discloses any plausible, cogent or sufficient reason for taking up the matter on an urgent basis rather, the application appears to have been moved merely to avoid the proceedings and the consequences that may follow from failure on the part of learned counsel for the petitioner to make the requisite compliance. For the sake of convenience, the grounds/reasons mentioned in the affidavit filed in support of urgent application i.e. CMA 22550/2026 are reproduced as under:

"I, MALIK RIZWAN S/o Malik Ramzan Mehmood Awan, Muslim, Adult, R/o House No. 1-83, Sector 48-F, Korangi 1-½, Karachi. the Petitioner in the above-mentioned Petition, do hereby state on oath as under:

1. That I am the Petitioner in the above-mentioned Petition, as such am the fully conversant with facts of the case.

2. That the accompanying Application for urgent hearing has been drafted and filed under my specific instructions, the contents whereof are true and correct, and as such may be treated as part and parcel of this affidavit for the sake of brevity.

3. That there is imminent apprehension that if this Honorable court does not intervene and pass the appropriate orders, then I shall suffer an irreparable loss.

4. Whatever has been stated above is true and correct to the best of knowledge and belief."

It is apparent from the record that the Office has listed the instant matter for orders regarding non-prosecution, as learned counsel for the petitioner has failed to furnish the requisite sets of copies and deposit the requisite process fee/cost for issuance of notices to the respondents, despite specific direction issued vide order dated 12.05.2026. In these circumstances, the instant application for urgent hearing is dismissed. However, keeping in view the well-settled principle that *law leans in favour of adjudication rather than technicalities*, in the interest of justice and by way of indulgence, seven (07) days' time is granted to the petitioner to make requisite compliance. To come up on **24th November, 2026**. It is clarified that in case requisite process fee/cost and sets of copies for issuance of notices not furnished within stipulated time, the matter shall be deemed to be dismissed in default.

Judge
Head of Const. Benches

Aamir/PS_

Judge