

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Const: Petition No. D-3649 of 2026

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

15th September, 2026.

None present for the petitioner.

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Office has listed instant matter for order as to non-prosecution, as learned counsel for the petitioner has failed to furnish the requisite sets and deposit the process fee/cost for issuance of notices to the respondents, which was ordered on 15.06.2026. Today, despite repeated calls, none has appeared on behalf of the petitioner, nor has any intimation regarding absence of the petitioner or his counsel been received. The requisite compliance has also not been made.

It is well settled that a litigant invoking the extraordinary constitutional jurisdiction of the Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973 is required to diligently prosecute the proceedings and to comply with the procedural and judicial directions issued from time to time. The process of the Court cannot be permitted to remain in abeyance on account of indifference, inaction or want of diligence of a party who has invoked its jurisdiction. The Court, while exercising its constitutional jurisdiction, possesses inherent authority to regulate its proceedings and to decline to keep a matter pending where the person seeking its intervention has himself failed to take requisite steps for its effective prosecution. In present case, the petitioner has not only remained persistently absent but has also failed to comply with a specific direction of the Court regarding furnishing of requisite sets and deposit of process fee/cost for issuing notices to the respondents. Such continued non-compliance, coupled with non-appearance, manifests a clear

lack of diligence and interest in prosecuting instant petition. The Court cannot be expected to indefinitely retain a matter on its docket when the party invoking its jurisdiction has failed to take even the elementary steps necessary for its progress.

The circumstances further give rise to a reasonable inference that either the grievance for which instant petition was instituted has otherwise been redressed or the petitioner has, for reasons best known to him, lost interest in pursuing the matter. In either eventuality, no useful purpose would be served by keeping the petition pending indefinitely. The power to dismiss proceedings for want of prosecution is exercised not as a punitive measure but to ensure the orderly administration of justice, prevent abuse of the process of Court and secure the proper utilization of judicial time. A party who invokes the jurisdiction of the Court cannot, after doing so, abandon the proceedings and expect the Court to keep the matter alive indefinitely. In view of the foregoing, and particularly the persistent absence of the petitioner and his learned counsel, coupled with failure to comply with the specific directions, instant petition is hereby dismissed for non-prosecution, along with all pending applications, if any.

Judge
Head of Const. Benches

Aamir/PS_

Judge