

ORDER SHEET

THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANO

C.P.No.S-428 of 2019

Date	Order with signature of Judge
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1. For orders on office objection "A".
2. For orders on M.A.No.822/2019 (E/A).
3. For orders on maintainability of main case.

27.06.2019

Petitioner Khuda Bux Leghari, present in person.

Ms. Shamim Akhtar Khokhar, State Counsel a/w SIP
Karam Ali Chandio, I.O

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Mr. Mazhar Ali Mangan, advocate holding brief for Mr. Muhammad Afzal Jagirani, counsel appearing for the petitioner, requests for adjournment on the ground that the latter is on general adjournment.

Today, under his statement I.O Karam Ali Chandio has produced the proceeding of the Sessions Court including Order dated 10.12.2018, whereby the purported detenue Mst. Samina @ Shahmiran, daughter of the petitioner was allowed to go with her husband Muhammad Naveed Shoukat (respondent No.5 herein). The above case was disposed of. The Statement alongwith the record of the Court proceeding is taken on record.

On 21.06.2019 certain observations were made in the order. From the record of the Court proceeding, produced by the police official, available on the Court file shows that the present

petitioner was present in the earlier proceedings, however, such fact has been deliberately suppressed in the present case. The present petition is filed on the basis of affidavit of the petitioner and after perusal of record of the present case it is very much apparent that the petitioner has filed the present petition with malafide. Such type of matters consume the valuable time of the Court and that of genuine litigants. Recklessly parties invoke the constitutional jurisdiction of this Court and set the State machinery into motion without realizing that such act on their part is causing much inconvenience to the State functionaries, Court as well as genuine litigants. In my considered view, such petitions should be dismissed with exemplary cost, however, learned counsel holding brief states that a lenient view may be taken, considering the age of the petitioner and his sentiments for his daughter.

In view of the above instant constitution petition is dismissed alongwith the listed application.

Judge

Manzoor