

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

C.P No.D-823 of 2020

DATE

ORDER WITH SIGNATURE OF JUDGE

09.09.2020

Mr. Muhammad Hashim Bajeer, advocate for the petitioner

Mr. Allah Bachayo Soomro, Additional A.G Sindh a/w ASI Pardeep
Kumar of PS Mithi

Mr. Bharat Kumar Suthar advocate files power on behalf of respondent No.3, which is taken on record. Learned AAG files comments on behalf of respondents No.7 & 8, which are also taken on record.

Through this petition, the petitioner has prayed that proceedings of Miscellaneous Application filed by private respondents before learned District & Sessions Judge Tharparkar @ Mithi may be stayed as, according to him, same is not maintainable.

This petition is not maintainable, as the relief(s) sought by the petitioner cannot be granted by this Court while exercising its constitutional jurisdiction under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973. Even otherwise, from the perusal of photocopy of certified copy of order dated 11.08.2020 passed by learned District & Sessions Judge Tharparkar @ Mithi in above referred miscellaneous application it appears that the said miscellaneous application has been forwarded to Deputy Commissioner Tharparkar @ Mithi for disposal according to law.

In view of above, this petition being misconceived and not maintainable stands dismissed alongwith listed application. However, petitioner is at liberty to defend his case, if any, before the Deputy Commissioner Tharparkar @ Mithi, if he so desires.

JUDGE

JUDGE

