

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P No.D-863 and 1767 of 2014

Date	Order with signature of Judge
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1. For orders on CMA No.1137/21
2. For orders on CMA No.1136/21

Dated : 18.01.2021

Mr. Faisal Mehmood Ghani for petitioner.

- 1) Granted.
- 2) Petitioners have filed listed contempt applications alleging that respondents/alleged contemnors are not complying with the orders whereby these petitions were disposed of. Substantially these petitions were disposed of in terms of earlier pronouncement whereby the subject law was declared ultra vires to the Constitution and could not have been introduced through money/finance bill. Learned counsel submits that since it is decided issue they (Respondents) are now not adjusting or paying back the amount as deducted by them. Since the decision in terms whereof petitions were disposed of was only to the extent of law being declared ultra vires to the Constitution, no recourse of recovery could be initiated in these petitions under the garb of contempt proceedings. Hence, contempt applications being misconceived are dismissed. Petitioners may however pursue their remedy for recovery/refund and/or adjustment of the subject amount, as they deem fit and proper.

JUDGE

JUDGE