

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

C.P. No. D- 1352 of 2017

Before:-

Mr. Justice Nadeem Akhtar

Mr. Justice Adnan-ul-Karim Memon

Petitioner present in person

Mr. Allah Bachayo Soomro, Addl.A.G. Sindh.

Date of hearing : 17.12.2019

Date of decision : 17.12.2019

For hearing of M.A No.2725 of 2018

ORDER

The instant petition was disposed of by this Court vide order dated 19.09.2017 with the following observations:-

“ In view of the above and the mechanism as stated above, all these petitions are disposed off and the applications of the petitioners shall be considered in terms of the above mechanism within a period of 03 (three) months from today by the committee as claimed to have been constituted by Worthy Chief Minister and a fortnightly periodical report as to the consideration of applications of the individuals shall also be placed on record with the Additional Registrar of this Court.

All petition stands disposed of in the above terms.”

2. On 22.02.2018, the applicant filed listed application for initiation of contempt proceedings against the alleged contemnors on account of their willful, intentional and deliberate act of disobeying the order dated 19.09.2017.
3. Record does not reflect that the aforesaid order was assailed before the Hon'ble Supreme Court of Pakistan, which has now attained finality.
4. Learned counsel for the Applicant has argued that despite clear directions in the above said Order, the contemnors have not complied with the same. He lastly prays for direction to the alleged contemnors to comply with the order passed by this Court in the present matter.
5. We have heard the learned counsel for the petitioner / applicant on the listed application and perused the material available on the record.

6. Prima-facie there is no explanation offered by the Respondents. The Petitioner has pointed out malice on the part of alleged contemnors warranting interference of this Court to take action against the alleged contemnors under Article 204 of the Constitution, who failed and neglected to comply the order dated 19.09.2017 passed by this court. Therefore, at this juncture, prima facie, Petitioner has made out a case for initiating contempt proceedings against the alleged contemnors. Therefore, the office is directed to issue show cause notice to the alleged contemnors under Section 17(1) of the Contempt of Court Ordinance 2003 read with Article 204 of the Constitution, as to why contempt proceedings should not be initiated against them for willful defiance of the order dated 19.09.2017 passed by this Court. The listed application bearing (M.A No.2725 of 2018), is adjourned to be taken up after two weeks.

JUDGE

JUDGE

*Karar_hussain/PS**