

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
CP.No.S-1213 of 2018.

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Date

Order with signature of Judge  
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1. For order on CMA No. 5019 of 2018 (urgent).
2. For orders on CMA No. 5020/2018 (Exemption).
3. For hearing of main case.
4. For order on CMA No. 5021 of 2018 (U/O. 18 R.18 CPC).

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28.05.2018

Syed Musharraf Hussain Zaidi, Advocate for petitioner.  
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1) Urgency granted.

Learned counsel for the petitioner contends that due to property disputes the respondents No. 6 and 7 with the help of police officials, are causing harassment to the petitioner.

Ms. Noshaba Solangi, Asst. A.G. Sindh present contends that official respondents would act strictly in accordance with law.

Needless to mention that police officials are not competent to be involved into any civil issue pending between the parties unless there is likelihood of breach of *peace* or things turn into a circumstance warranting interference of law enforcing agencies. The conduct and attitude from police official was/is always believed for best interest of society which is nothing but an assurance of *peace* and *tranquility*. This *however* would also require an *impartial* conduct which always demands to stay away from private *civil* disputes but should never avoid a legal action if such *civil dispute* is likely to turn or turning into a crime or breach of peace. This balance is *spirit* of duties of police officials, including the respondent no. 5. Any deviation from maintaining such balance shall, needless to say, expose guilty to an action.

However, since there has been an assurance from learned Asst. A.G. Sindh that the official respondent(s) shall conduct themselves strictly in accordance with law and they would provide protection to any party if demanded at any genuine apprehension.

Accordingly, instant petition is disposed of along with listed application with directions to official respondents that they would not indulge in the civil /private affairs of petitioner(s) and private respondent(s) and shall ensure balance, as insisted above. However, needles to mention that this order is on allegation of excess/harassment by official respondents hence shall not give any edge to petitioner in any property / civil matter nor would be exploited as license to avoid a lawful order by a public servant (police official *even*), if called / summoned as per law for information etc.

JUDGE