

ORDER SHEET

HIGH COURT OF SINDH AT KARACHI

HCA No. 186 of 2016

Date Order with signature of Judge

For hearing of CMA No.02/2022 (Contempt)

13.1.2022.

Mr. Salahuddin Ahmed, Advocate for the appellant.

Mr. Ashraf Ali Butt, Advocate for the alleged contemnor

Mr. Asadullah, Advocate holding brief for Syed Haider Imam Rizvi,
Advocate for respondent No.3.

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The instant contempt application has been filed on the ground that the alleged contemnor has violated the order passed by the bench of this Court on 08.11.2017. Learned counsel for the appellant has invited our attention to para 22 of the said order and stated that directions were issued in favour of the appellant that the subject premises ought not to be disturbed and operation of the petrol/CNG station thereat may be carried on by the appellant unabated until disposal of the underlying suit. He stated that the alleged contemnor has sealed the petrol/CNG station of the appellant and thus has committed contempt of court, therefore, action may be taken against the alleged contemnor for violating the order of this Court.

Mr. Ashraf Ali Butt, Advocate has appeared on behalf of the alleged contemnor and filed a statement dated 13.1.2022 along with vakalatnama clearly mentioning in the statement that the alleged contemnor and the Board have not violated the order dated 08.11.2017 and they have never restrained and blocked the access of the appellant to the petrol/CNG station or interfered with its possession and operation. It has also been assured that neither any violation of the order dated 08.11.2017 has been

made nor shall be made in future. A copy of the said statement has been given to the counsel for the appellant for perusal.

We have heard both the learned counsel and have perused the record. It is noted that a categorical denial has been made by the alleged contemnor by clearly mentioning that he has neither sealed the petrol/CNG station nor would do so in future. Hence the matter so far as initiation of contempt of court proceedings against the alleged contemnor is concerned hardly arises. So far as the question as to who has sealed / blocked the access of the appellant is not the issue before us at the moment for which the appellant may seek his remedy as provided to him under the law. Since no contempt of court has been found against the alleged contemnor, the application stands disposed of.

JUDGE

JUDGE