

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
 C. P. No. D-5960 of 2022

Date	Order with signature of Judge
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FRESH CASE.

1. For orders on Misc. No.25237/2022.
2. For orders on Office Objection No.09, 11 & 14.
3. For orders on Misc. No.25238/2022.
4. For hearing of main case.

05.10.2022.

Mr. Qaim Ali Memon, Advocate for the Petitioners.

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**YOUSUF ALI SAYEED, J. -** The backdrop to the captioned Petition is that Civil Suit No.1087/2020 was filed by the Respondents No.7 and 8, against the Petitioners, with an exparte decree having ensued and the Respondents having filed Execution No.03/2022 for its enforcement before the Court of learned IXth Senior Civil Judge, Karachi, East. That execution was allowed on 06.08.2022, with service having earlier been held good as against the Petitioners/Judgment Debtors and their being debarred from filing Objections thereafter in view of continued non-appearance.

The instant Petition has been preferred seeking suspension of Bailable Warrants said to have been issued by the Executing Court as well as unblocking of the Petitioners' CNICs, as ordered by that forum. Whilst, the relevant Order(s) made in that regard has not been placed on record, on query posed, it was conceded that such measures had been adopted by the Executing Court so as to ensure appearance of the Petitioners.

Under the given circumstances, we are of the view that no case of illegality stands made out and the mere issuance of Bailable Warrants and further steps taken by the Executing Court from which the Petitioners profess to be aggrieved do not constitute any violation of fundamental rights, as the Petitioners may approach the Executing Court so as to seek discharge of the Warrants and recall of the relevant Order for blocking of their CNICs by presenting their case. Indeed, when asked as to the conduct of the Petitioners vis-à-vis the execution, Counsel conceded that the Petitioners had absented themselves from the proceedings, but stated that they were willing to appear and furnish security, as may be required. That being so, the instant Petition is apparently devoid of force, and while granting the application for urgency, we accordingly dismiss the same *in limine*, along with the other miscellaneous applications.

JUDGE

CHIEF JUSTICE

MUBASHIR