

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI**

H.C.A. No.484 of 2024

Hira Rauf  
Versus  
Rear Admiral (Retd.) Mushtaq Ahmed & others

Date	Order with signature of Judge
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1. For orders on CMA 2970/24
2. For orders on office objection a/w reply as at "A"
3. For orders on CMA 2971/24
4. For hearing of main case.
5. For orders on CMA 2972/24

**Dated: 19.11.2024**

Mr. Kh. Naveed Ahmed for appellant.

M/s. Ahmed Masood and Shariq Razzak for respondents No.1 and 2 on statutory notice under order XLIII Rule 3 CPC.

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In response to a contempt application, counter-affidavit was filed by the alleged contemnor/appellant. The allegations raised in the contempt application were denied and there was nothing except to pass impugned order whereby in the light of Section 17(3) of the Contempt of Court Ordinance, 2003 a charge is to be framed on the following date. There is nothing in the counter-affidavit which could have suggested that the appellant had surrendered herself at the mercy of the Court. In addition to it there is also a report of Commissioner/Nazir of this Court which is filed by learned counsel for respondents No.1 and 2 in Court today along with a statement, who are appearing in pursuance of notice under order 43 CPC which prima facie goes to show defiance of the order of the Court.

In the light of the commission report, count-affidavit and the contempt application itself, the impugned order was passed and there is nothing at this stage that this Bench could interfere in the impugned order, particularly in view of the fact that the appellant herself has not

sought mercy of the Court and she only opted to contest the allegations leveled against her in the contempt application thus calling for a probe which could only be undertaken after framing of charge. The parties are directed to appear before the Court/learned Single Judge for further proceedings in the matter and/or contempt proceedings which shall be dealt with in accordance with law. None of the observations made herein may be relied upon for the purpose of on-going proceedings before the trial court.

Appeal stands disposed of in the above terms along with listed applications.

**Chief Justice**

**Judge**