

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**C.P No.S-1427 of 2025**

Date	Order with signature of Judges
Fresh Case.	

1. For orders on CMA No.9084/2025.
2. For orders on office objection No.1 to 3 a/w reply of counsel thereof as Flag A.
3. For orders on CMA No.9085/2025.
4. For hearing of main case.

**15.12.2025**

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Mr. Nisar Ahmed, advocate for the petitioner.  
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- 1) Urgency granted.
- 2 to 4) Through this petition, the petitioner has prayed as follows:-

- “a) *Direct the immediate production of the minor before this Hon’ble Court;*
- b) *Issue appropriate directions for the enforcement of the petitioner’s lawful visitation and access rights in favour of the petitioner, being the paternal grandfather and natural guardian of the minor;*
- c) *Direct the relevant authorities, including police officials, educational institutions, and other government departments, in both Karachi and Rawalpindi, to comply with lawful directions for the protection, custody, and welfare of the minor.”*

It is an admitted position that the petitioner, who is the grandfather of the minor, has already filed a G&W Application No.656/2025 before XIXth Family Judge Karachi South, which is pending adjudication.

In view of the availability of an adequate and efficacious alternate remedy, which the petitioner has admittedly already availed, this Court is not inclined to exercise its constitutional jurisdiction for production of minor. Entertaining the present petition would amount to parallel proceedings before different forum in respect of the same subject matter. Reliance is placed on the case of Syed Masood Ali versus Mst. Feroza Begum and another (PLD 2025 SC 339), wherein the Hon’ble Court held as under:-

*“30. It is a well settled principle of law that where an alternative and efficacious remedy is available under the ordinary legal framework , constitutional jurisdiction cannot be invoked to bypass the statutory mechanisms in place. Constitutional jurisdiction is not intended to substitute the ordinary remedies provided under the law.”*

Reliance is also placed on the case of Mst. Qurat-ul-Ain versus Station House Officer Police Station Saddar Jalalpur Jattan District Gujrat and others (2024 SCMR 486), wherein the Hon’ble Court has held as under:-

*“35. An upshot of our discussion is that in the presence of an adequate remedy, the High Court was constitutionally barred from exercising jurisdiction under Article 199 of the Constitution. As a result, all proceedings in respondent No.3’s writ petition are declared to be without lawful authority.”*

Accordingly, this petition being not maintainable is hereby dismissed *in limine* along with listed application(s).

JUDGE