

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-4763 of 2026

Date	Order with signature of Judge
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FRESH CASE.
1. For orders on Misc. No.18515/2026.
2. For orders on Misc. No.18516/2026.
3. For hearing of main case.

04.08.2026.

Mr. Salman, Advocate/Petitioner in person.

The Petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution, impugning the Order dated 10.11.2025 made by the Consumer Protection Court, South at Karachi in Consumer Complaint No.46/2023, and the Order dated 13.05.2026 passed by the learned XIth Additional District Judge, Karachi, South in Consumer Appeal No.01/2026. As it transpires, the Petitioner had filed the aforementioned Complaint alleging a deficiency in service and negligence on the part of the Respondent No.1, a Courier Company. It is said that on 12.07.2023, the Petitioner had booked a consignment with the Respondent No.1, specifying the address and phone number of the Consignee, but the same was returned undelivered with the remarks **“untraceable contact number/address, required”**. It is said that the same consignment was then booked through a different Courier Company using the same particulars of the Consignee, and was delivered without any impediment. On that basis, the Petitioner filed the Complaint, alleging that the Respondent No.1 had made false, deceptive and misleading representation, and its service was faulty/defective, with it being prayed that the Consumer Court be pleased to direct refund of the shipment charges alongwith payment of general damages of an

amount of Rs.500,000/-, the legal notice fees of Rs.40,000/- and a sum of Rs.500,000/- on account of so-called legal procedure fees.

As it transpires, no particulars of the nature or importance of the consignment were pleaded. Be that as it may, the Consumer Court allowed the Complaint to the extent of determining that the Petitioner was entitled to reimbursement of shipment charges, as well as general damages of Rs.15,000/- alongwith litigation cost of Rs.5,000/-. Being dissatisfied, the Petitioner filed the aforementioned Appeal seeking the full amount of Rs.1,040,000/-. That Appeal came to be dismissed, with it being observed as follows:-

7. This Court has carefully examined the pleadings, evidence and material available on record as well as the impugned order passed by the learned Consumer Protection Court, Karachi South. It is an admitted position that the learned trial Court has already partially allowed the complaint by awarding refund/compensation to the appellant to the extent proved on record. However, so far as the claim regarding general damages, legal notice charges, litigation expenses and other enhanced compensation is concerned, the appellant has utterly failed to produce any cogent, reliable and independent evidence in support thereof. Mere allegations, assumptions and self-serving statements are not sufficient to establish entitlement to compensation under the law.

8. The learned counsel for the complainant has failed to establish before the trial Court that any actual loss or damage was suffered by him. No cogent, convincing or legally admissible evidence in documentary form has been produced on record in support of the alleged loss, nor has any substantive proof been brought against the accused/respondent. So far as the claim regarding legal expenses and counsel fee is concerned, the record reflects that the complainant himself is an advocate and had conducted the proceedings in person. No documentary evidence, account statement, fee agreement, receipt or any other material has been produced to demonstrate as to what amount of professional fee or litigation expenses was allegedly incurred by him. Even otherwise, no such record is available on the case file.

9. In these circumstances, the learned Magistrate has rightly appreciated the evidence available on record. After tentative as well as proper appraisal of the material produced before the Court, this Court does not find any illegality, irregularity misreading or non-reading of evidence, nor any jurisdictional defect in the impugned judgment warranting interference by this Court.”

Having examined the Complaint, and observed that the same was bereft of material particulars, we are surprised that it was entertained at all. A reading of the Appellate Order shows the same to be well-reasoned and unexceptionable. Indeed, no cogent ground has been raised in the memo of Petition, which merely narrates that both the Courts below have failed to evaluate that the Petitioner is a practicing Advocate of the High Court, whose professional time carries a direct economic value, and forcing him to attend scores of hearings over a two-year period over a simple delivery failure constitutes a quantifiable loss of billable hours. That acknowledgement of a “simple delivery failure” itself serves to demonstrate the frivolity of the Petitioner’s claim.

Under such circumstances, the Petition is found to be misconceived and stands dismissed accordingly, alongwith the pending Miscellaneous Applications, with costs of Rs.25,000/- to be paid by the Petitioner towards the High Court Clinic.

JUDGE

JUDGE

MUBASHIR