

ORDER SHEET  
IN THE HIGH COURT OF SINDH KARACHI

Const. Petition No. D - 3493 of 2021

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Date	Order with signature(s) of Judge(s)
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D/o Matter

1. For orders on CMA No.4560/2026
2. For orders on CMA No.16063/2025

**17.03.2026**

M/s. Muhammad Abdullah and Agha Abdul Fateh, Advocates for the petitioner.

Mr. Hakim Ali Shaikh, Addl. A.G. Sindh.

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1. Per office note instant petition is already fixed on 28.09.2026, however, learned counsel for the petitioner pleads urgency on the ground that the date fixed by the office is too long, besides it is the matter of restoration, therefore; he submits that by granting this application, it may be converted into application for antedate the case. Record supports his contentions. Learned Addl. A.G. has no objection. Order accordingly.

2. Learned counsel for the petitioner draws attention of the Court towards the impugned order dated 29.01.2025 and submits that no ground for dismissal of the petition was available, therefore; he submits that the cases are to be decided on merits instead of technicalities, hence the listed application bearing CMA No.16063/2025 may be granted, the impugned order dated 29.01.2025 may be recalled and the matter may be restored to its original position / status as it was on 29.01.2025. Learned Addl. A.G. has no objection to the grant of the application. Before parting with the order, it may be appropriate to reproduce the impugned order dated 29.01.2025, which reads as under:

“Petition is pending since 2021 without any progress. Even today brief is being held on behalf of petitioner and adjournment is being sought for no cogent reason. In view hereof, petition is dismissed for non-prosecution.”

Accordingly, in view of the above, listed application bearing CMA No.16063/2025 is hereby allowed and the petition is hereby restored to its original position as it was on 29.01.2025. Let fresh notice be

issued to the respondents as well as the Advocate General Sindh for  
06.05.2026.

**JUDGE  
HEAD OF CONST. BENCHES**

**JUDGE**

Azeem