

IN THE HIGH COURT OF SINDH KARACHI

**Present:**

**Mr. Justice Adnan Iqbal Chaudhry**

**Mr. Justice Muhammad Jaffer**

Constitution Petition No. D – 4473 of 2025  
(Samad Ali Khowaja & others vs. Sindh High Court & another)

Petitioner : Samad Ali Khowaja & others, through  
Mr. Ali Asadullah Bullo, Advocate

Respondents : Nemo.

Date of hearing : 22.09.2025

Date of order : 22.09.2025

O R D E R

Muhammad Jaffer Raza J:- The instant petition has been filed by the Petitioners impugning an administrative order of the Hon’ble Chief Justice of the High Court, declining to relax the upper age limit in the appointment of the petitioners as staff in the District Court, Sujawal. Learned counsel was asked as to how the instant petition is maintainable in light of the judgment in the case of Gul Taiq Khan Marwat v/s Registrar Peshawar High Court<sup>1</sup> (PLD 2021 SC 391) and in a recent order passed by us in the case of Shumail Ali and others v/s The High Court of Sindh & others<sup>2</sup>.

2. It is a settled proposition of law that administrative, executive and consultative actions of the Chief Justices and Judges of a High Court are immune to challenge under the writ jurisdiction of this Court. Relevant paragraph of the noted judgment rendered in the case of Gul Taiq Khan (supra) is reproduced below:

*“In this case with respect to the administrative, executive or consultative acts or orders in question, the answer to the “but for” test is an unqualified no, therefore, such acts or orders would in our opinion be protected by Article 199(5) of the Constitution and thereby be immune to challenge under the writ jurisdiction of the High Court.”*

<sup>1</sup> PLD 2021 SC 391

<sup>2</sup> Order dated 01.09.2025 in C.P. No.D-4178/2025

For the said reason the instant petition is dismissed in limine  
along with listed applications.

JUDGE

JUDGE

Nadeem Qureshi P.A.