

IN THE HIGH COURT OF SINDH AT KARACHI

Present: Mr. Justice Irfan Saadat Khan
Mr. Justice Adnan-ul-Karim Memon

C.P No.D-1415 of 2015

Ghulam Ali & othersPetitioners

Versus

Government of Sindh and othersRespondents

Disposed of Matter

1. For order on CMA No. 15929 of 2018.
2. For hearing of CMA No. 15930/2018.

C.P No.D-1820 of 2015

Shahid Ali Bhutto & othersPetitioners

Versus

Province of Sindh and othersRespondents

Date of hearing: 23.05.2018

Mr. Faizan Hussain Memon Advocate for the Applicants.
Mr. Sibtain Mehmood Assistant Advocate General.

CMA No. 15930 of 2018.

This is a disposed of matter and this Court vide order dated 08.05.2018 disposed of all the pending applications bearing CMA No. 15924 of 2018 and 15925 of 2018 in C.P. No. D-1415 of 2015 and CMA No. 15927 of 2018 and 15928 of 2018 in C.P. No. D-1820 of 2015, with direction to the applicants to avail the remedy against the findings of Sindh Technical Board as provided under the law. However in the meanwhile the notice was

issued to the Respondents on the listed CMA on the premise that the applicants name could not be incorporated in the order dated 25.10.2018. Learned AAG has put his appearance in the matter and argued that the instant matter has already been disposed of, however he reiterated his argument earlier made in the matter and relied upon the compliance report dated 18.04.2018 and order dated 25.04.2018 passed by this Court. He further submitted that there is no need to incorporate the names of the applicants in the order as discussed supra.

Mr. Faizan Hussain Memon, learned counsel for the Applicants in the CMA No. 15930 of 2018 has submitted that the Respondents have already recommended the Petitioner Nos.1,2,5, 7,8 and 12 for regularization and the names of the Petitioner Nos. 1,7 and 8 were reproduced in the order dated 25.04.2018, however the names of the Petitioners No. 2, 5 and 12 have not been mentioned in the order dated 25.04.2018 which needs to be mentioned so that their case may be forwarded for regularization in accordance with law. He lastly prayed for allowing the listed application.

We have gone through the compliance report dated 18.04.2018 and order dated 25.04.2018 passed by this Court. For the convenience sake the relevant portion of the aforesaid order is reproduced as under:-

“ As per report furnished by respondent No.2/ Automation of Stamps and Registration Board, cases of Ghulam Ali, Zahid Hussain Chandio and Suhail Ahmed were examined and were found to be correct, authentic and are accordance with law. The matter of the abovenamed petitioners so that they could be regularized in accordance with law. However, so far as the cases of 4 persons, namely, Noman Khan, Singhar Ali, Umar Din and

Kamran Anwar are concerned their documents were found to be fake and forged. The department is at liberty to initiate action against them in accordance with law. So far as the case of the Mehboob Alam is concerned, the department is directed to process the same within a period of one month. With these directions the instant contempt application is disposed of.”

In the light of above observation of this Court, the main grievance of the applicants in the listed application can be looked into by the Respondents. The compliance of the order dated 25.04.2018 passed by this Court has already been made.

In view of the foregoing, we are of the considered view that the order of this Court is not required to be modified in the manner as agitated by the learned counsel for the applicants and it is for the Respondent Department to comply with the main order passed by this Court when the matter was finally disposed of.

The listed application is misconceived; hence the same is disposed of accordingly.

JUDGE

Karachi
Dated:-23.05.2018.

JUDGE