

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

C. P. No. D-5005 / 2015

ORDER WITH THE SIGNATURE OF THE JUDGE

For hearing of CMA No. 29762/2018.

Mr. Rafiq Kalwar, Advocate for the Applicant

Mr. Jawad Ahmed, AAG for the Respondent/s

29.10.2018

The present petition was determined vide judgment dated 16.07.2018 and the listed application for review thereof has been preferred in respect thereof. Through this application, learned counsel for the petitioner seeks to re-agitate the petition, which is already disposed of, and inter-alia, seeks a fresh determination of the factual controversies.

2. Learned counsel for the respondents has controverted the present review application and submitted that no grounds have been made out for review of the judgment rendered herein. Learned counsel has also filed a document issued by Joint Estate Officer (Admn), Government of Pakistan, Estate Office dated 10.07.2018, which reads as follows:

“Subject: Request for restoration of accommodation.”

In pursuance of M/o House & Works Letter No. F.34/2, Cat-V1-9/4/EV dated 05/06/2017 as the FIA is maintaining its own pool of accommodation, as such their employees are not entitled to get accommodation from the pool of Estate Office in accordance with Rule 3(1) of Accommodation Allocation Rules, 2002 and in the light of judgment passed by Honourable Supreme Court of Pakistan in Muhammad Afsar’s case reported as (2012 sCMR 274).

All concerned are hereby directed to comply with the directives of the M/o Housing & Works in letter and spirit.”

Per learned counsel, petitioner being an FIA employee is even otherwise not entitled to occupy Estate Office pool accommodation in the manner sought and

that the said proposition stands cemented by the pronouncement of the Hon'ble Supreme Court cited in the aforesaid instrument.

3. It is observed that the present petitioner had also attempted to seek re-adjudication of the matter by filing a contempt application in the present proceedings, which was dismissed by this Court vide order dated 22.09.2018. Present application is prima-facie another attempt by the petitioner to re-agitate the matter already determined vide the judgment dated 16.07.2018.

4. Be that as it may, this Court has considered the contents of the application/affidavit filed by the present petitioner (along with the arguments advanced by the learned counsel) and is of the considered opinion that no grounds for review have been made out. Learned counsel has not demonstrated the discovery of any new and important matter which could not have been addressed earlier. Learned counsel has further been unable to identify any mistake apparent on the face of record and finally no substantial reason has been advanced to justify the review of the Judgment dated 16.07.2018.

5. In view of foregoing, the present application is hereby dismissed.

J U D G E

J U D G E