

IN THE HIGH COURT OF SINDH AT KARACHI

Constitutional Petition No.D – 408 of 2016

Before:

Mr. Justice Nadeem Akhtar
Mr. Justice Adnan-ul-Karim Memon

Muhammad Mithal V/S Federation through Secretary, Establishment, Government of Pakistan, Islamabad and 04 others.

Date of hearing
& decision: **28.02.2020**

None present for the petitioner.
Mr. Hakim Ali Shaikh, Additional Advocate General, Sindh.
Ms. Durdana Tanweer, Assistant Attorney General for Pakistan.

ORDER

No one is present on behalf of the petitioner to assist this Court. This petition was filed in the month of January 2016, praying for initiation of an inquiry against the then Secretary, Education Department, Government of Sindh. It appears that the petitioner had personal vendetta against the then Secretary, Education, and his intention was to seek declaration to the effect that the then Secretary, Education, was involved in alleged fake appointments made in the Education Department, Government of Sindh. Petitioner has not placed any material on record to hold the then Secretary, Education, responsible for the alleged corrupt practices. The factual allegations made by the petitioner against the then Secretary are without any substance as no material has been filed by him in support thereof. In any event, such factual controversy cannot be looked into by this Court in its constitutional jurisdiction under Article 199 of the Constitution.

As noted above, this petition was filed in the month of January 2016 against the then Secretary Education, who ceased to hold the said post long ago, whereafter number of Secretaries have served at that position. Therefore, the petition has become infructuous.

In the above circumstances, this petition, being not maintainable and having become infructuous, is dismissed along with pending application(s) with no order as to costs.

JUDGE

JUDGE