

Order Sheet

IN THE HIGH COURT OF SINDH KARACHI
Constitutional Petition No. D – 3247 of 2016

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

Professor Syed Farhat Ali Jaffery V/S Province of Sindh & 04 others

Date of hearing
& decision : 02.03.2020.

Mr. Asghar Ali Buriro, advocate for the petitioner.
Mr. Iqbal Khurram, advocate for KMC.
Mr. Hakim Ali Shaikh, Additional Advocate General.

ORDER

ADNAN-UL-KARIM MEMON, J. – By means of this petition, the petitioner has impugned office order dated 30.05.2016 whereby his extra assignment of the post of Principal, Karachi Medical & Dental College, KMC, in addition to his own duties, was cancelled / withdrawn.

2. Upon query by this Court as to how the instant petition is maintainable against additional assignment, in addition to his own duties, which fall within the ambit of expression terms and conditions of his service.

3. Mr. Asghar Ali Buriro, learned counsel for the petitioner, has contended that the impugned order dated 30.05.2016 as discussed supra is tainted with malice and malafide ; the respondents have violated ad-interim order passed by this Court and intentionally cancelled the additional assignment given to him by the competent authority ; and, impugned order has been passed without any sound reasoning and in any public exigency.

4. Admittedly, the petitioner is Government Servant and his case falls within the ambit of the terms and conditions of his service. In our view, a Government Servant has no vested right to claim a particular assignment in addition to his own duties forever or for a stipulated period as a matter of right. The respondents have already cancelled / withdrawn the aforesaid assignment vide Office Order dated 30.05.2016, which does not call for any interference.

5. Petition being misconceived is hereby dismissed alongwith pending application(s) with no order as costs.

JUDGE

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