

*Order Sheet*  
**IN THE HIGH COURT OF SINDH KARACHI**  
**Constitutional Petition No. D –2860 of 2019**

Before:

Mr. Justice Nadeem Akhtar

Mr. Justice Adnan-ul-Karim Memon

Muhammad Ramzan

*Versus*

Province of Sindh and 03 others

Date of hearing & order : 17.12.2020

Petitioner Muhammad Ramzan present in person.

**ORDER**

**ADNAN-UL-KARIM MEMON, J.** Petitioner had applied for the job of chowkidar in the office of District & Sessions Judge, Karachi East based on son quota. His father Jubair was working as watchman in the said district who passed away on 23.04.2011 while he was in service. The application was submitted to District & Sessions Judge, Karachi East and since he was found overage, the learned District & Sessions Judge, Karachi East on 10.05.2011 forwarded the matter to the Hon'ble Chief Justice of this Court for relaxation of age. The matter was placed before the Administration Committee of this Court on 17.08.2011, where it was regretted.

2. Petitioner present in person was confronted with the aforesaid legal position of the case. He reiterated his submissions as mentioned in the memo of the petition. He prayed for the declaration to the effect that he is entitled to be appointed as chowkidar on son quota in view of the policy decision of this Court, which is still in the field and his age may also be directed to be condoned in view of notification dated 19.07.2011 issued by the Government of Sindh.

3. We have heard the petitioner who is present in person and perused the material available on record.

4. Prima-facie, the petitioner is over age and his candidature has already been rejected by the Administrative Committee of this Court vide decision dated 17.08.2011. Not only this, prior to the filing of present petition, the petitioner had

approached this Court through C.P No. D-3158 / 2012 which was dismissed as withdrawn vide order dated 27.01.2014. Therefore, similar relief cannot be claimed by filing subsequent legal proceedings as it would fall within mischief of constructive res-judicata. Reliance is placed on the case of State Bank of Pakistan through Governor and others vs. Imtiaz Ali Khan and others (2012 SCMR 280).

5. In our view, once the stance of the petitioner on the aforesaid analogy has been set at rest by the Administrative Committee, no further action is required on our part in exercising the power under Article 199 of the Constitution as writ does not lie against such decision of the Administrative Committee.

6. This petition is misconceived and is accordingly dismissed in limine with no order as to costs.

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