

Judgment Sheet
**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD**

CP No. D- 178 of 2015

BEFORE :

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Adnan Iqbal Chaudhry

Date of hearing
& decision:

02.11.2021

Petitioner:

Muhammad Sajid and others through Ms. Tahrim
Jawahery, Advocate.

Respondents:

Province of Sindh and others
through Mr. Ayaz Ali Rajpar, Advocate

ORDER

ADNAN-UL-KARIM MEMON, J: - Petitioner is seeking appointment in Education Department on Deceased Employee Quota in terms of Rule 11-A of Sindh Civil Servant (Appointment Promotion and Transfer) Rules, 1974.

2. This petition was disposed of vide order dated 5.10.2016 with direction to the competent authority to decide the application of the petitioner under law. Learned AAG submitted a compliance report with the assertion that the order passed by this court has been complied with. The petitioner being aggrieved by and dissatisfied with the compliance report filed an application under sections 3 and 4 of Contempt of Court Ordinance 2003 with the assertion that he is eligible in all respect is liable to be appointed on the subject post on Deceased Employee Quota in terms of Rule 11-A of Sindh Civil Servant (Appointment Promotion and Transfer) Rules, 1974. Learned AAG refuted the claim of the petitioner on the analogy that his case does not fall within the ambit of policy decision. On that, this court vide order dated 21.10.2019 dismissed the contempt application. Petitioner through the listed application has sought review of the order made on contempt application.

3. In our view, the review of the order can only be made by the party, if there is a mistake or error apparent on the face of the record

as provided under Order XLVII (Section 114 CPC). The Petitioner through the review application has attempted to call into question the validity of the main disposal order which is not permissible under the law, which has attained finality. Even otherwise the contempt proceedings are between the Court and alleged contemnor, the petitioner has nothing to do with it, and it is for the court to take action or otherwise.

4. There is nothing to review the order dated 21.10.2019. The review application stands dismissed.

JUDGE

JUDGE

Karar Memon