

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,  
HYDERABAD**

C.P. No.D-785 of 2017  
C.P. No.D-793 of 2017  
C.P. No.D-3163 of 2017

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE (S)</b>
<b><u>06.04.2021</u></b>	

Mr. Muhammad Arshad S. Pathan, Advocate for the petitioners.

Mr. Muhammad Humayoon Khan, Deputy Attorney General for Pakistan along-with Khawaja Amer Hameed Deputy Manager (IR) PSO, Muhammad Imran Khan Senior Manager (Legal) PSO and Muhammad Bin Shan Manager (HR) PSO on behalf of respondent Nos.2 to 7.

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Through instant petitions, petitioners in captioned petitions seek declaration to the effect of impugned order dated 13.03.2017 dismissing their services being illegal, unlawful passed without any full-fledged inquiry and even without recording of evidence or final show-cause and their personal hearing to be declared void and ab-initio.

Learned counsel for the petitioners submits that the allegations against the petitioners are baseless and false. He further contends that the services of the petitioners were terminated without observing legal formalities as they were not awarded opportunity of cross examination as well as personal hearing before passing order of major penalty for dismissal of service. He also contends that petitioners details replies were not considered.

Learned Deputy Attorney General for Pakistan who is assisted by officials respondents states that petitioners' were charge sheeted on account of their serious misconduct to endanger public lives and property, and hence they were punished.

We have heard parties' counsel and perused the record. It appears that petitioners should have approached the proper forum for redressal of their grievance before invoking the jurisdiction of this Court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, relationship of master/servant exists between the parties. These petitions are accordingly dismissed with directions to the petitioners to challenge their dismissal before appropriate forum having jurisdiction in the subject matter. At this juncture,

learned counsel for the petitioners submits that from several years these petitions have been pending before this Court, therefore, direction may be issued regarding question of limitation be considered sympathetically when the petitioners approach the proper forum/Tribunal. The appropriate forum/Tribunal or any concerned authority may thus sympathetically consider the petitioners' case for condonation of delay as the matters were pending before this Court for quite sometime.

JUDGE

JUDGE

*Muhammad Danish Steno\**