

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P No. D-2828 of 2021

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

Fresh Case :

1. For order on Misc. No.12117 of 2021 (urgent)
2. For order on Misc. No.12118 of 2021 (Exemption) :
3. For hearing of main case.

23.04.2021

Syed Farooq Ahmed Sheerazi, advocate for the petitioner.

1. Urgency granted.
2. Exemption is granted subject to all just exceptions.
3. Primarily, the petitioner has called in question the disciplinary action of the Respondent-Karachi Port Trust (KPT), whereby he was served with show cause notice ('**SCN**') dated 08.04.2021 with certain allegations of misconduct. It is inter alia contended by learned counsel for the petitioner that the impugned SCN cannot be termed as the order passed within the terms and conditions of service of the Petitioner. He further argued that petitioner denied the charges leveled against him vide letter dated 21.04.2021. Per learned counsel, the SCN was / is based on malafide intention; that there is nothing adverse against the Petitioner, therefore, the action of the respondent-KPT declaring him absent from duty is against the basic spirit of the law; that he was condemned unheard on the charges leveled against him; that the career of the petitioner is at stake at the hands of Respondent-KPT who are bent upon to deprive him from his job; that the petitioner is fully entitled to be treated under the law. He added that the respondent-KPT has issued letter dated 27.10.2020 whereby he has been declared absent from duty for 17 days with effect from 17.1.2020 to 11.02.2020. Per learned counsel, the petitioner on the aforesaid dates was in attendance in different departments of respondent-KPT, thus the allegations are false and fabricated. In support of his contention, he relied upon the documents attached with this petition and argued that this is a hardship case and this Court can hear and decide the matter on merit. He prayed for notice.

To appreciate the aforesaid factum of the case to and to see as to whether the petitioner is absentee from his job for 17 days with effect from 17.1.2020 to 11.02.2020 or otherwise, let notice be issued to the respondents as well as to learned DAG for 11.05.2021 with direction to file comments.

JUDGE