

IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No.D-6918 of 2021

---

Date

Order with signature of Judge

---

Fresh Case:

1. For order on Misc. No.29994/2021 (U/App)
2. For order on Misc. No.29995/2021 (Exemption/App)
3. For hearing of main case.

----

13.12.2021

Mr. Zahid Ali Maitlo, Advocate for the petitioners.

----

1. Urgency granted.

2&3. This petition has been filed on the ground that the petitioners may be reinstated in the service with the National Institute of Cardiovascular Diseases (the respondent) and their salaries due from January-2020 onwards may be released.

The counsel for the petitioners states that forcible resignations were taken from the petitioners in October-2019 and thereafter they were terminated from the service. According to him since the said resignations were forcible, hence the petitioners may be reinstated in the service.

The counsel has been heard and record has been perused.

At the very outset, the petition is found to be badly hit by laches, as if the salaries of the petitioners were stopped from January-2020, how they have filed the present petition on 24.11.2021, no explanation in this regard is available with the counsel for such an inordinate delay. Moreover, the matter with regard to forcible resignations from the petitioners is a factual controversy which cannot be decided in a writ petition. Hence, the instant petition is found to be wholly misconceived and not maintainable and the same, therefore, stands dismissed in limine alongwith listed application.

JUDGE

JUDGE