

IN THE HIGH COURT OF SINDH AT KARACHI

Present:
Muhammad Junaid Ghaffar, J.
Agha Faisal, J.

C P D 6593 of 2022 : Hafiz Abdul Hakeem & Another vs.
Province of Sindh & Others

For the Petitioner : Mr. Ashfaq Rafiq Janjua, Advocate

Date/s of hearing : 04.11.2022

Date of announcement : 04.11.2022

ORDER

Agha Faisal, J. The petitioners pray for appointment in a madrasa; yet seek salary therefrom with effect from 2020; and also seek to be granted possession of the relevant madrasa. Therefore, at the very onset the petitioner's counsel was confronted with respect to the maintainability hereof *inter alia* as to how the relief sought could be contemplated in the writ jurisdiction of this Court.

2. Per counsel, the petitioners had been engaged to render services at the madrasa, however, he failed to demonstrate any letter/s of engagement before the Court. The only reliance was on a barely legible copy of a purported payroll stated to show payments for three months, back in 2019.

3. It is reiterated that no instrument of appointment has been placed before the Court. The purported payroll of three months in 2019 does in no manner demonstrate the rationale for grant of such payments, if any in the first place. In any event it appears incongruent that a claim for appointment be maintained simultaneously with a claim for past salaries, albeit *prima facie* barred by *laches*. The claim for possession of immovable property also appears to not be amenable for consideration in writ jurisdiction.

4. In view hereof, we find this petition to be misconceived, hence, the same, along with pending application/s, was dismissed *in limine* with costs vide our short order announced in Court at the conclusion of the hearing today. These are the reasons for our short order.

JUDGE

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