

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
C. P. No. D-7541 of 2021

Date	Order with signature of Judge
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FOR DIRECTION.

1. For orders on CMA No.8988/2022.
2. For orders as to maintainability of Petition.

20.10.2022.

Petitioner Muhammad Akram Khan Awan is present in person.

Mr. Kazi Abdul Waheed Siddiqui, DAG alongwith Abdul Salam, Accounts Officer on behalf of the Respondent No.1.

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**YOUSUF ALI SAYEED, J. -**

The Petition advances a jumble of disparate averments. It has been pleaded that the Petitioner hails from a royal family, that some of his close family members were murdered; that he left home to join the Pakistan Navy in 1966, that at the time even 'journals' (presumably generals) were mere matriculates; that he served in the Navy until 1996 but his 'jacket' (presumably uniform) has been misplaced; that he has been prematurely retired in the year 1997 albeit still having 3 years left in service; and that his dues remain unsettled, albeit no particular period or amount being mentioned. On the basis of that parcel of allegations, a solitary inchoate prayer has been advanced, merely referring to certain other cases said to have been filed before this Court being C. P. No. D-889/2006, Execution No.20/2020, Civil Suit No.134/2010 (Ex. No.32/2010), but no relief specifically being claimed on that basis.

The Comments submitted in the matter on behalf of the Controller of Naval Accounts acknowledge that the Petitioner had been recruited in the Navy on 12.08.1966 and stood retired on 10.08.1998, but also go on to state that he is regularly drawing pension at the correct rate applicable to him and that all dues are otherwise clear and no amount is outstanding under any head. Furthermore, we have called the files of the other cases referred to in the Prayer Clause, which reveal that they either have no concern with the Petitioner or bear no nexus to the Pakistan Navy. Under the given circumstances, we see no force in the Petition. Even otherwise, we are cognizant of the Article 199 (3) of the Constitution, which reads as follows:-

*“199 (3) An order shall not be made under clause (1) on application made by or in relation to a person who is a member of the Armed Forces of Pakistan, or who is for the time being subject to any law relating to any of those Forces, in respect of his terms and conditions of service, in respect of any matter arising out of his service, or in respect of any action taken in relation to him as a member of the Armed Forces of Pakistan or as a person subject to such law.”*

That being so, the Petition stands dismissed along with the pending miscellaneous application.

JUDGE

CHIEF JUSTICE