

Order Sheet

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 84 of 2022

Date of hearing	Order with signature of Judge
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Fresh case

1. For orders on office objection at Flag-A
2. For orders on CMA No.431/2022 (Ex./A)
3. For hearing of main case

28.03.2023

Mr. Muhammad Raza Soomro, Advocate for the petitioner.

It is claim of the petitioner that vide Office Order dated 09.10.2007, he was appointed as Sanitation Worker at Taluka Headquarter, Kotdiji on the terms and conditions, *inter alia*, that his services are purely temporary and liable to be terminated at any time without assigning any reason or notice and, subsequently, he was posted at Rural Health Centre, Kotdiji vide letter dated 15.02.2008 (*Annexure 'C', Page-17 of the memo of petition*). It is further case of the petitioner that subsequently on 17th February 2008 i.e. two days after his posting his services were terminated without assigning any reason. However, his services have been protected under the Sindh Sacked Employees' (Reinstatement) Act, 2016 (**'the Act'**), which provides that:

"2(b) "sacked employee" means a person who was employed as a regular or adhoc or on contract basis or otherwise in service of employer or who was a member of the civil service of the Province of Sindh or who held a civil post in connection with the affairs of the Province of Sindh, or Department and was dismissed, removed or terminated from service during the period from the 3rd day of February, 1997 to the 18th day of February, 2008 (both days inclusive) and who was subsequently re-instated in service at the recommendation of the committee;"

The matter was fixed before this Court on 15.02.2022, when the learned Counsel for the petitioner was directed to satisfy the Court as to

the laches involved in this petition as the alleged Act was promulgated on 16th October 2016, while the petitioner maintained this petition after passing of more than five (05) years on 31.02.2022. Learned Counsel has failed to do so; besides nothing is available on record as to up to what date the petitioner performed his duty to enable the Court to come to the conclusion that the petitioner's case falls within the period from 03.02.1997 to 18.02.2008, as provided under the Act. Hence, this petition being devoid of any legal and factual merit is **dismissed** along with pending application.

JUDGE

JUDGE

Abdul Basit