

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 1004 of 2022

Date of hearing	Order with signature of Judge
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For hearing of main case

17.10.2023

Mr. Muhammad Ali Napar, Advocate for petitioner.
Mr. Abdul Naeem Pirzada, Advocate holding brief for Mr. Nisar Ali Memon, Advocate for respondents No.3 to 7.
Mr. Zulfiqar Ali Naich, Assistant Advocate General Sindh.

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Petitioner was Estate Officer in Sindh Small Industries Corporation. He was dismissed from service on 27.03.2017 on the charge of causing heavy financial loss to the Corporation by allotting industrial/commercial plots of the Corporation on old rates despite the directives of the competent authority to suspend the allotment procedure of such plots.

He filed an appeal against the dismissal order before the Managing Director, Sindh Small Industries Corporation. When his appeal was not decided, he filed a C.P. No. D-1891 of 2018 before this Court, which was disposed of on 22.10.2019 with direction to the Managing Director to decide his appeal within thirty (30) days in accordance with law.

The record further reflects that when the compliance of the aforesaid order was not made, the petitioner filed an application for contempt. However, meanwhile on 13.11.2019, a compliance report was received from the Managing Director dated 04.11.2019 stating that he had no power to decide the appeal of the petitioner as the petitioner was serving in Grade 18 and the competent authority is the Chairman (SSIC)/Minister for Industries, Commerce & Cooperative Department, Government of Sindh. It appears that

after such development, application for contempt was withdrawn by the petitioner and it was disposed of vide order dated 12.10.2021. However, before such order, petitioner had filed an appeal before the Chairman (SSIC) on 15.11.2019. A copy of which is available at Page 171 of the file.

The case of the petitioner is that his appeal has not been decided since 2019, and that he would be satisfied and not press this petition, if directions are issued to respondents No.2 to decide the appeal of the petitioner against dismissal order within a certain period. Learned AAG Sindh and learned Counsel holding brief for Advocate of Sindh Small Industries Corporation have agreed to this proposal.

Accordingly, this petition is **disposed of** and respondent No.2 is directed to decide pending appeal of the petitioner against his dismissal order within a period of two (02) months. The compliance report shall be submitted after such period through the Advocate of Sindh Small Industries Corporation.

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Abdul Basit