

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 937 of 2021

Date of hearing	Order with signature of Judge
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For directions

1. For orders on CMA No.6140/2023 (Ex./A)
2. For orders on CMA No.6141/2023 (Recall)
3. For orders on CMA No.4317/2023 (C/A)

29.11.2023

Mr. Abdul Naeem Pirzada, Advocate for petitioner.
Mr. Khuda Bux Chohan, Advocate for respondent No.5.
Mr. Ali Raza Baloch, Assistant Advocate General Sindh.

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Petitioner filed this petition seeking appointment on deceased quota, and was disposed of vide order dated 22.02.2023, whereby respondent No.5 (Municipal Commissioner, Municipal Corporation, Sukkur) was directed to decide application of the petitioner for appointment within three (03) months. When the compliance was not made, petitioner filed this listed application for initiating contempt proceedings against respondents / alleged contemnors.

2. Reports were called and the compliance report has been submitted by the Secretary Law dated 12.10.2023, wherein it has been stated that scheme under Rule 11-A of the Sindh Civil Servants (Appointment, Promotion & Transfer) Rules, 1974, is not applicable to the case of the petitioner because petitioner's father was a public servant employed in Municipal Corporation, Sukkur and not a civil servant, and therefore, his application has been declined.

3. Learned Counsel for petitioner insists that still he has got a cause of action because so many other persons much like petitioner

have been appointed. This would hardly make contempt application maintainable because this petition was simply disposed of by directing respondent No.5 to decide application of the petitioner, which has already been done and compliance report is submitted, and no proof that any other person has been appointed, has been placed on record. No contempt of the Court's order is made out.

4. Accordingly, the contempt application is **dismissed** along with other listed applications. However, relevant respondents may consider the case of the petitioner on humanitarian ground.

J U D G E

J U D G E

Abdul Basit