

Order Sheet
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-1072 of 2024

DATE

ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection
2. For hearing of M.A. 5626/2024
3. For hearing of main case

24.07.2024

Mr. Ashique Hussain D. Solangi advocate for petitioner.
Mr. Riaz Hussain Legal Officer Sindh Agriculture University.
Mr. Muhammad Ismail Bhutto, Addl. A.G Sindh.

Mr. Wasi Haider Shah advocate files power of Mr. Muhammad Arshad S. Pathan advocate on behalf of respondents 2 to 4, which is taken on record.

The petitioner claims a constitutional / vested right to be designated Chairman Department of Entomology, Sindh Agriculture University Tando Jam and that also with retrospective effect. The entire crux of the arguments articulated is challenging the incumbency of the person presently holding such office.

Learned counsel was asked to demonstrate any constitutional / vested right for him to claim such appointment in writ jurisdiction, however, he remained unable to do so. Reference was made to Clause II of Statute 3 of the Sindh Ordinance No.VII of 1981, however, it merely prescribes an appointment formula and confers no benefit upon the petitioner. Most importantly, the incumbent office holder, against whom accusations are leveled, has not been impleaded herein and even otherwise this is not a quo warranto petition. Petition being misconceived is hereby dismissed.

Judge

Judge

Ali Haider