

IN THE HIGH COURT OF SINDH, KARACHI
Constitution Petition No. D- 225 of 2024

Date

Order with signature of Judge

Present: *Mr. Justice Muhammad Junaid Ghaffar*
Mr. Justice Adnan-ul-Karim Memon.

Petitioner:

Liaquat Ali
Through Syed Shou-un-Nabi,
Advocate.

Respondents:

The Province of Sindh & others

Date of hearing:

21.02.2024.

Date of Order:

21.02.2024.

ORDER

Muhammad Junaid Ghaffar, J: Through this Petition, the Petitioner has sought the following reliefs: -

- (a) To declare in action on the part of respondents, on the application of the petitioner for allowing him to rejoin the department in view of lien kept by him in the department, illegal, unfair, against principle of natural justice as also in violation of fundamental right.
- (b) To direct the respondent(s) to consider the grievance of the petitioner contained in the applications and decide the same without any further delay.
- (c) To restrain the Respondents from taking any adverse decision effecting to the Job of the petitioner in any manner.
- (d) To award cost of petition.
- (e) To grant any relief as deemed fit and proper and in the ends of justice.

2. On the last date of hearing, the Petitioner's Counsel was directed to place on record the original appointment order, which has been submitted through statement dated 25.01.2024.

3. Heard learned Counsel for the Petitioner and perused the record. Petitioner's Counsel has been confronted as to the relief being sought as above inasmuch as it is the case of the Petitioner that he was appointed in the year 2001 as a Lecturer by the Director of College Education Hyderabad Region; whereas, somehow for unexplained reasons, he was sent on

deputation in Sui South Gas Company Limited (“SSGCL”) and now he has been relieved by SSGCL as he cannot remain on deputation anymore and claims lien on his original appointment of 2001. To this, Petitioner’s Counsel has not been able to satisfactorily respond to any of our queries as under what law the Petitioner can be allowed to retain his lien in the Education Department for such a long period, and as to how, at the very first instance, a Provincial Government employee can go on deputation in a Company like SSGCL incorporated by law; and lastly by which authority he was sent on deputation. None of these have been answered to any level of satisfaction. The documents placed on record do not support the case of the Petitioner as contended and much reliance has been placed by the Petitioner’s Counsel on his relieving order dated 11.09.2007 issued by the Principal of the concerned College. In these circumstances, we do not see any justification and reason to entertain this petition; whereas, not only this, the Petitioner has also been issued a Show Cause Notice by the College Education Department for his misconduct as apparently the record on which the Petitioner relies upon is not available with the concerned department as well.

4. In view of the above fact and circumstances of this case, the petition appears to be misconceived and an attempt to cure deficiency in the Petitioner’s case; hence was dismissed in *limine* by means a short order on 21.2.2024 and these are the reasons thereof.

J U D G E

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