

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 310 of 2024

(Niaz Hussain Abbasi versus Chancellor Shah Abdul Latif University and others)

Present:

Mr. Muhammad Iqbal Kalhoro, J.

Mr. Arbab Ali Hakro, J.

Date of hearing : **28.03.2024**

Date of decision : **28.03.2024**

Mr. Achar Khan Gabol, Advocate for petitioner.

ORDER

Muhammad Iqbal Kalhoro, J. – Petitioner, an employee of Shah Abdul Latif University, Khairpur has filed this petition seeking directions to the University to not send his case for retirement from service on the basis of pacca certificate of Matriculation, in which he claims that his date of birth is erroneously mentioned as 26.03.1964 instead of his actual date of birth: 26.03.1966, till final decision of the Suit he has filed in the relevant Court seeking declaration in this respect, which is still pending.

2. We have heard learned Counsel for the petitioner, and are not satisfied with maintainability of this petition. The petitioner instead of moving a proper application before the trial Court for such purpose, if he has any *prima facie* case in this regard, has directly filed this petition before this Court. The petition, during pendency of the Suit in respect of same cause of action, is not maintainable and is accordingly **dismissed in limine** along with pending application(s), if any.

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Abdul Basit