

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI

CP D 1758 of 2023

Date	Order with signature of Judge(s)
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For orders on Misc. No.20208/2023

30.09.2024

Messrs. Ali Abid Zuberi, Asad Abbasi and Imran Mahar, advocates for the petitioner

Present application seeks review of order dated 07.04.2023; reproduced herein below:

“Under deceased quota petitioner has applied and he was offered appointment in BPS-5 vide offer letter dated 15.09.2018. The offer was accepted and he was appointed accordingly. He has now filed this petition that at the relevant time he should have been appointed in BPS11.

We have heard the learned counsel and perused material available on record.

It appears that the appointment as offered by the respondent was accepted by the petitioner without any objection whatsoever. More importantly petitioner has now invoked jurisdiction of this Court after about five years of his appointment in BPS-5 and hence suffers from laches. No point for any indulgence and interference has been made. Accordingly, the petition being misconceived is dismissed along with listed applications”

The learned counsel before us were not originally representing the petitioner and were only engaged post dismissal of the petition. While unable to displace the preponderance of *laches* and acquiescence, subsequent learned counsel sought to agitate the matter *de novo*, which is unmerited in the remit of review.

The jurisdiction of this Court in review proceedings is limited to the ambit of Section 114 read with Order 47 CPC. The entire thrust of the arguments advanced by the counsel was directed towards merits of an already dismissed case and there was absolutely no effort to identify any mistake or error apparent on the face of the record or any other sufficient reason justifying a review of the Order.

This Court has duly appraised the contents of the present application and the arguments advanced by the counsel and is of the considered opinion that no grounds for review have been made out. The applicant has not demonstrated the discovery of any new and important matter which could not have been addressed earlier; has failed to identify any mistake apparent on the face of record; and finally no reason has been advanced to justify the review of the Order. It is thus the considered view of this Court that this application is devoid of merit, hence, the review application is hereby dismissed *in limine*.

Judge

Judge