

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**

C.P No.D-4396 of 2024

Date	Order with signature of the Judge
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Fresh Case

1. For order on CMA No. 19465 of 2024 (U/A)
2. For order on Office Objection No. 01
3. For order on CMA No. 19466 of 2024 (Ex/App)
- 4, For order on CMA No. 19467of 2024 (Stay/App)
5. For hearing of main case.

10.9.2025

Petitioner Zul Hasnain Shah in person

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Through this writ petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973 (hereinafter referred to as “**the Constitution**”), seeking the following reliefs: -

- a) *To direct the Respondents No.1 & 2 to initiate departmental inquiry against respondent No.3 and respondent No.4.*
- b) *To direct the Respondent No. 3 to 4 to produce the whole record of transfer and posting since day of joining office.*
- c) *To pass ad-interim orders for suspension/Stay against the respondents from further proceedings upon issuance of transfer and appointment of terminated employees without approval of the Nazir of Court.*
- d) *Strike out/set aside termination order dated 26.8.2024 and order petitioners unpaid salaries to be released.*
- e) *Direct respondent No.1 and respondent No.2 to appoint neutral and honest officers to supervise upcoming elections of Fishermen Cooperative society.*
- f) *Any other Relief.*
- g) *Costs.*

2. The Petitioner in person contended that he was appointed as Legal Advisor on a monthly retainer ship in Fishermen's Cooperative Housing Society Ltd for one year; however, respondent No.6, without issuing prior show-cause notice or giving opportunity of hearing to him, terminated/withdrawn his services vide office Order dated 26.8.2024. He has contended that no proper

procedure to terminate him from the services of a Legal Advisor has been followed. Therefore, the same is illegal and unlawful.

3. We have accorded due consideration to the arguments advanced by the Petitioner and have perused the record, including the contents of the Petition. The Petitioner, an Advocate, has filed this Petition, challenging the termination of his services as a legal advisor in Fishermen's Cooperative Society Ltd. The Petitioner was appointed on a monthly retainer ship for one year, and his services were terminated/withdrawn vide Office Order dated 26.8.2024 by respondent No.6. The Fishermen's Cooperative Society Ltd. is a registered society incorporated under the relevant law. However, it is not a "person" within the meaning of the word as provided in Article 199 of the Constitution, as it does not carry out the affairs of the Federation, Provincial Government, or Local Authorities. Article 199 of the Constitution provides for the jurisdiction of the High Court to issue orders to any person performing functions in connection with the affairs of the Federation, Provincial Government, or Local Authorities. Since Fishermen's Cooperative Society Ltd. is a private entity and does not perform such functions, it does not fall within the ambit of Article 199 of the Constitution. The termination of the Petitioner's services by the Fishermen's Cooperative Society Ltd. is a matter of private employment. It does not involve any element of public law that would attract the jurisdiction of the High Court under Article 199 of the Constitution. The Petitioner's request for departmental inquiry, suspension/stay orders, and supervision of elections pertains to internal matters of the society, which are not subject to judicial review under Article 199 of the Constitution.

4. In that view of the matter, this writ Petition is **dismissed** as without having any merit in **limine**.

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