

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP D 226 of 2024

Date	Order with signature of Judge(s)
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Disposed of matter

1. For orders on CMA No.6100/2024.

26.10.2024

1. This is a review application in respect of the following order dated 10.07.2024, passed at Hyderabad.

“25.07.2024

Petitioner present in person.
Mr. Abdulah K. Laghari advocate for respondent No.4
Mr. Ravi Kumar advocate for respondent No.5
Mr. Muhammad Ismail Bhutto, Addl. A.G Sindh.

Parawise comments filed by respondent No.4 and written reply filed by respondent No.5 are taken on record.

The petitioner had filed C.P. No.D-656/2019 which was determined by this Court vide order dated 11.11.2021. Admittedly, the grievance of the petitioner if any with regard to implementation of the judgment is sub judice before this Court in the said proceedings. The primary prayer clause seeks implementation of the earlier judgment of the Division Bench which is not permissible.

The petitioner also seeks an inquiry to be conducted, however, delving into such factual issues requiring evidence / inquiry etc. does not fall within the realm of writ jurisdiction.

The petitioner also prays for recovery of financial emoluments and benefits from the respondent No.5, without impleading the said person in her own right. Prima facie, this is not a quo warranto petition, hence, the question of such consequential relief could also not be considered in this petition.

In view of the foregoing, this petition is found to be misconceived and is dismissed.”

The matter has been fixed at the Principal Seat pursuant to the orders of the honourable Chief Justice, since the Bench no longer remained on roster at Hyderabad. The Bench assembled, however, the applicant remained unrepresented without intimation or justification. While it was a fit case for dismissal for non-prosecution, however, it was considered appropriate to go through the memorandum of application / affidavit and see whether any case for review was made out. Respectively none could be discerned from the record.

The jurisdiction of this Court in review proceedings is limited to the ambit of Section 114 read with Order 47 CPC. The crux of the content pleaded 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 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

Khuhro/PA