

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 1797 of 2024

(*Shahzado Khan Lashari v. Province of Sindh & others*)

Present:

Mr. Zulfiqar Ahmad Khan, J.

Mr. Khadim Hussain Tunio, J.

Date of hearing : **13.11.2024**

Date of decision : **13.11.2024**

Mr. Riaz Ali Shaikh, Advocate for petitioner.

ORDER

Zulfiqar Ahmad Khan, J. – The petitioner, a private individual, has approached this Court alleging acts of favoritism and nepotism by respondents No.8 and 9 (Deputy Director of GIMS and Incharge of Gynecology Department, respectively), who are spouse, during his visit to the hospital on 23.10.2024. Specifically, the petitioner claims that certain individuals were allowed to bypass the waiting line, and when he raised an objection, he was instructed by the staff to remain silent. After a delay of 2 to 3 hours, the line was resumed, and the petitioner's checkup was eventually conducted. Further, the petitioner alleges that he later learnt through reliable sources that respondents No.8 and 9 were appointed illegally due to political influence, despite having already retired from Shaheed Benazirabad. He claims that his subsequent application for a departmental inquiry against these officials has not yet been addressed.

The petitioner, therefore, prays for the reliefs as follows:

- a) *To direct the respondents to decide the application of the petitioner and conduct departmental inquiry against respondent No.8 & 9 in accordance with law.*
- b) *To grant any other relief which deems fit and proper under circumstances of the case.*

2. A perusal of the petitioner's application, available at Page-19, reveals that the petitioner has requested for conducting a departmental inquiry into the matter and sought strict action against the allegedly fraudulent and illegal appointments of the aforementioned high-ranking officials at GIMS.

3. Upon careful consideration, it is evident that the petitioner seeks to challenge the appointments of respondents No.8 and 9 based on vague and unsubstantiated allegations of political favoritism and irregularity. However, the petitioner has failed to provide any concrete evidence in support of these serious allegations. The purported reliable sources mentioned by the petitioner are, at best, hearsay and cannot be considered credible evidence capable of justifying judicial intervention.

4. Moreover, it is pertinent to note that the petitioner, being a private individual, has no *locus standi* to challenge the appointments of public officials in a public institution like GIMS. His allegations appear to stem from personal dissatisfaction with the service he received during his medical checkup, which, at best, may give rise to a grievance against the staff but not a constitutional issue of the magnitude he seeks to invoke. The petitioner's claim bears the hallmarks of a personal grievance or vendetta, rather than a matter of public concern that falls within the purview of constitutional jurisdiction.

5. This Court has consistently held that constitutional jurisdiction is not intended to entertain petitions based on unsubstantiated claims or those raised by individuals with no direct or legally recognized standing in the matter. The allegations of political influence and illegal appointments remain entirely unsupported by any *prima facie* evidence, and the petitioner's claim appears to be a misuse of the constitutional remedy for resolving personal disputes.

6. In light of the foregoing, the petitioner has failed to establish a valid legal basis for his claim and has failed to demonstrate any *locus standi* in bringing this matter before this Court. Therefore, this petition along with pending applications is **dismissed in limine** as being meritless.

J U D G E

J U D G E

Abdul Basit