

ORDER SHEET

THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANO  
C.P.No.D-57 of 2014

43

Date

Order with signature of Judge

For hearing of main case.

**20.11.2019**

Mr. Saleem Raza Jakhar, Advocate for the Petitioner.

Mr. Abdul Hamid Bhurgri, Additional Advocate General.

-----

Through this petition, the petitioner has prayed as under:

- (a). That this Hon'ble Court may be pleased to direct the respondents to allow the petitioner to join her duties as Aya Ward-maid BPS-02 in CMC Hospital, Larkana in terms of her appointment order dated 04.10.2010 as well as ensure payment of her monthly salaries as admissible under the law, without further loss of time.
- (b). That this Hon'ble Court may be pleased to call upon respondents No.1 to 4 to produce all relevant record in respect of services of the petitioner as well as the monthly salaries or other service benefits drawn in the name of the petitioner w.e.f. from the date of appointment of the petitioner i.e. 04.10.2010.
- (c). Award costs.
- (d). Any other relief as this Hon'ble Court deem fit and proper may also be awarded.

In his parawise comments, respondent No.1, Medical Superintendent, Chandka Medical College Hospital, Larkana has categorically denied the allegations and claim of the petitioner. It is further stated therein that the petitioner being aged of 46 years is overage and no age relaxation certificate from the competent authority was produced by her and no salary has been drawn by the petitioner as claimed by her. Such divergent pleadings have given rise to various complexed questions of facts, which cannot be gone into the constitutional petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973. The learned advocate for the petitioner has also not been able to satisfy the Court as to the maintainability of this petition. Therefore, this petition being not maintainable is dismissed.

Manzoor