

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
C.P. No. D-4801 of 2023**

Date	Order with Signature of Judge
------	-------------------------------

D/O matter

1. For order on CMA No. 2258/2025 (U/A)
2. For order on CMA No. 2259/2025 (Review)

**06-02-2025**

Syed Ziauddin Agha Advocate for the Petitioner  
Mr. Imran Ahmed Khan Abro, Assistant Advocate General

1. Granted.
2. This review application impugns Order dated 20.01.2025, which reads as follows:

“Mr. S. Ziauddin Agha, advocate for the petitioner  
Mr. K. A. Waswani, Addl. A. G. Sindh

1. Urgency granted. 2-3. Petitioner seeks appointment as police constable through orders of this Court. The department has filed response stated that the petitioner was not appointed as he was ineligible. No rejoinder etc, to the factual controversy to discernable has been filed even otherwise fact finding is not amenable in writ jurisdiction. In view hereof no case is made out. Petition is dismissed being misconceived.”

The grounds for review pleaded in the affidavit supporting the application are that the petition could not be dismissed on account of maintainability as the said objection had not been raised by the respondent; the determinant order was rendered hurriedly without questioning the justification of refusal of the respondent; and the petition ought to have been determined on merit.

Respectfully, the grounds invoked appear to be rather innocent of the law. Maintainability has to be ascertained at the very onset of proceedings by the Court and frivolous litigation cannot be permitted to clog the docket. Irrespective hereof, no cavil was articulated to the observations recorded in the impugned order and it was never the learned counsel's case that the impugned order could not be rested on the rationale observed.

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, is hereby dismissed *in limine*.

Judge

Judge