ORDER SHEET

THE HIGH COURT OF SINDH, BENCH AT SUKKUR

C. P. No. D – 1928 of 2026
[Dr. Arif Mushtaque Bohio v. Province of Sindh & others]

Present:
Mr. Justice Adnan Iqbal Chaudhry
Mr. Justice Ali Haider 'Ada'

For Petitioner	:	Mr. Noor Hassan Malik, Advocate
For Respondents	:	Nemo
Date of hearing	:	17.11.2026
Date of decision	:	17.11.2026

O R D E R

Adnan Iqbal Chaudhry J.– Urgency is granted. The petitioner is a Senior Medical Officer (BPS-18) at Civil Hospital, Naushahro Feroze. He is aggrieved of a Show-Cause Notice dated 19.10.2026, issued by the Secretary Health, as Authorized Officer under Rule 4-A read with Rule 5(3) of the *Sindh Civil Servants (Efficiency & Discipline) Rules, 1973*.

2. It is contended by the petitioner that the impugned show-cause notice is *mala fide*, having been issued on allegations fabricated by the Civil Surgeon, Civil Hospital, Naushahro Feroze (respondent No.5), who holds a grudge against the petitioner for exposing acts of negligence committed by respondent No.5 at the Dialysis Centre of the Civil Hospital. It is further submitted that the impugned show-cause notice was never even served upon the petitioner through the official channel, rather he obtained a copy thereof from the social media. Learned counsel for the petitioner acknowledges that ordinarily the High Court does not interfere in writ jurisdiction to examine the merits of a show-cause notice, however, he submits that a show-cause notice issued with *mala fides* is an exception to that general rule.

3. Apparently, the *mala fides* alleged by the petitioner to exist behind the impugned show-cause notice entails scrutiny of facts that are disputed by the petitioner. Therefore, this is not a case where *mala fides* are apparent from the show-cause notice itself. Such disputed facts can best be determined by the competent authority who has issued the show-cause notice. The petitioner is free to lay those facts before the competent authority. As regards the submission that the impugned show-cause notice was not served upon the petitioner through proper channel, since the petitioner now has knowledge of the same, he should make a reply thereto and participate in the show-cause proceedings. Needless to state, that under Rule 10 of the *Sindh Civil Servants (Efficiency & Discipline) Rules, 1973*, the petitioner is provided an appeal if any adverse order is passed against him pursuant to the impugned show-cause notice. The petition is, therefore, **dismissed in *limine***.

J U D G E

J U D G E

Abdul Basit