

IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No.D-3671 of 2024

[Syed Nadeem Haider Seemab versus Province of Sindh & others]

Before:

Justice Muhammad Karim Khan Agha

Justice Nisar Ahmed Bhanbhro

Date of hearing & Order: 10.11.2025

Syed Muhammad Saulat Rizvi, advocate for the petitioner.

Ms. Saima Imdad, Assistant Advocate General Sindh.

ORDER

Nisar Ahmed Bhanbhro, J. Through the instant petition, the petitioner has challenged the order dated 22.04.2021 (**the impugned order**), whereby Petitioner was imposed a major penalty of “**Forfeiture of three (03) years’ service**” with increment and debarred from posting in DMC (Central) for the period of three years by the Secretary to Government of Sindh, Local Government Department.

2. At the very outset, learned counsel for the petitioner was put on notice to satisfy this Court as to the maintainability of the petition as apparently the petition was preferred after a period of more than three years of passing of the impugned order.

3. Learned counsel for the petitioner argued that after imposing of major penalty, the petitioner filed an appeal on 10th May 2021 with the respondent-department, which remained undecided and gave recurring cause of action to file this petition.

4. Learned AAG has opposed this petition on the ground that the petitioner remained silent for the period of more than three years and slept over his rights, therefore, he cannot be granted any relief at this stage.

5. We have heard the arguments of learned counsel for the parties and perused the material available on record.

6. Admittedly, the petitioner was imposed a major penalty of forfeiture of three years’ service with increment and further debarred from posting in DMC (Central) for the period of three years vide order dated 22.04.2021 issued by Secretary Local Government Department, Government of Sindh. The petitioner preferred a representation on 10.05.2021 but did not pursue the said representation thus he was guilty laxity and delay to initiate the proceedings promptly. The case

of the petitioner is hit by the principle of laches, which provides that a litigant who sleeps on his rights was not entitled for any relief under the equitable writ jurisdiction of this Court. The reliance in this regard is placed upon the case of **Secretary School Education, Government of Punjab and other v. Askari Begum and another reported in 2023 PLC (CS) 214** wherein Hon'ble Supreme Court of Pakistan has underscored the importance of initiation of legal proceedings with promptitude.

7. Consequently, this petition merits no consideration is hereby dismissed being not maintainable with all pending application(s).

JUDGE

HEAD OF CONST. BENCHES

Shahzad Soomro