

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P.No.D-5202/2016

Date Order with signature of Judge

Present
Mr. Justice Muhammad Ali Mazhar
Mr. Justice Arshad Hussain

Nisar Ahmed.....Petitioner

V E R S U S

Province of Sindh & others.....Respondents

Date of hearing: 28.09.2016

Zafar Ali Lanjar, Advocate for Petitioner.
Mr. Abdul Jalil Zubedi, A.A.G.

Muhammad Ali Mazhar, J: The petitioner has challenged the dismissal order and requests for direction to be issued to reinstate him in service. The brief facts of the case are that vide final order dated 20.01.2007 the petitioner was awarded major punishment i.e. dismissal from service with immediate effect on the allegation that he was found involved in Narcotics case and arrested in the year 2005. Since he was not released on bail nor any verdict/judgment of the case was passed by the court of law, therefore, the department could not find it appropriate to retain him in the department. Learned counsel pointed out Page 19 which is decision passed on 02.05.2011 by this Court in the appeal of the present petitioner in Cr. Appeal No.210/2006 wherein after hearing the counsel for the appellant the Division Bench of this Court maintained the sentence and dismissed the appeal on reducing the sentence awarded to the appellant to one already undergone and also remitted the fine. The learned counsel further argued that after releasing from jail, the petitioner

filed his appeal on 28.05.2012 to the Inspector General of Police, Sindh, Karachi which is pending and despite various approaches made to the competent authority, his appeal could not be decided.

2. The learned A.A.G. waived the notice of this petition. Copy has been supplied to him. On this limited ground alone, which relates to the pendency of appeal, he submits that if appeal is pending before the competent authority, the same will be decided within the period of one month. The counsel for the petitioner is satisfied. The petition is disposed of accordingly.

Copy of this order may be transmitted to the learned A.A.G. for compliance.

Judge

Judge

Asif