## ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI

C.P. NO. D- 5249/2016

Date Order with signature of Judge

## MR. JUSTICE MUHAMMAD ALI MAZHAR MR. JUSTICE ARSHAD HUSSAIN KHAN

Musharraf Ali & another.	•••••	Petitioners
V	ersus	
Province of Sindh & others.	•••••	Respondents

29.09.2016

Miss SadiaKhatoon, Advocate for Petitioner Mr. Abdul JalilZubedi AAG alongwith M. Jamil Khan O.S.D. Litigation E&L.D, Karachi

**MUHAMMAD ALI MAZHAR, J:**Admittedly, the petitioners are civil servants but they have challenged their suspension order dated 08-07-2013. Learned AAG in the first round waived notice, copy was supplied to him and he was called upon by the Court to seek proper instruction as to whether since 2013 suspension order is continuing without any progress in the matter or whether any enquiry is pending against the petitioners or not. In the second round he sought instruction from the Additional Secretary Education & Literacy Department though he raised objection that petition is not maintainable and barred under Article 212 of the Constitution, 1973. However, to a quarry raised by this Court he answered that within 60 days enquiry, if any, against the petitioners will be completed and final order shall be passed. We are also of the firm view, that suspension order is continuing for almost last three years which cannot be continued for an unlimited period of time. The petitioners are also getting salaries but no final order has been passed regarding their guilt, if any, in the enquiry proceedings.

In view of the undertaking given by the learned AAG, this petition is disposed of. The respondents are directed to finalize the matter within sixty days.

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

JUDGE

JUDGE

MUSHARRAF ALI.P.A.