

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**C.P.No.D-509 of 2007**

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**Date**

**Order with signature of Judge**  
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**Present:**

**Mr.Justice Muhammad Ali Mazhar**

**Mr.Justice Abdul Maalik Gaddi**

Nadeem Ahmed Shaikh & another.....Petitioners

V E R S U S

Province of Sindh & others.....Respondents

**Date of hearing: 17.01.2017**

None present for the Petitioners.

Mr. Sibtain Mehmood, A.A.G.

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**Muhammad Ali Mazhar, J:** Earlier in this case Mr. Muhammad Nawaz Shaikh, Advocate was appearing for the petitioners but after his death Mr. Z.K. Jatoi, Advocate filed vakalatnama on behalf of petitioner No.2 but he has also expired. Order dated 22.01.2016 shows that the notice was directed to be issued to the petitioners for making alternate arrangements. Today both the petitioners are called absent. The grievance of the petitioners is that on 25.04.2005 they were appointed by the Agriculture Department, Government of Sindh on contract basis for three years as Water Management Officer (Engg) in BPS-17 but vide termination letter dated 15.09.2006 their contractual engagements were terminated with immediate effect, therefore, they approached this court for declaration that the termination orders passed by the respondent Nos.2 and 3 during the subsistence of the contractual period of three years is illegal, without lawful authority and liable to be quashed. We are of the view that if the contractual engagements were terminated by the

respondents, prematurely no declaration can be sought to enforce contractual obligations and if the petitioners were aggrieved, they could have filed a suit for damages if they were terminated prematurely without any just cause and reason.

2. The learned A.A.G. also argued that petition is not maintainable and contractual engagement cannot be enforced through writ petition.

3. As a result of above discussion, the petition is dismissed with pending application.

Judge

Judge

Asif