

**ORDER SHEET**  
**THE HIGH COURT OF SINDH AT KARACHI**  
**C.P. No.D-2281 of 2007**

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Date	Order with signature(s) of Judge(s)
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**Present:**

**Muhammad Ali Mazhar, J.**  
**Abdul Maalik Gaddi, J.**

Abdus Sami Soomro	.....	Petitioner
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Versus

The Chairman WAPDA  
& another

.....

Respondents

**18<sup>th</sup> January, 2017.**

Mr. Muhammad Altaf, Advocate for Respondents.

**ORDER**

**Muhammad Ali Mazhar, J.** – The matter was fixed on 12.01.2017 but nobody was present for the petitioner. Record shows that his counsel has also died. We directed the office to issue direct notice to the petitioner through bailiff with further directions to the head bailiff to ensure that proper report shall be submitted on the next date. The bailiff report is available on record, which shows that the petitioner Abdus Sami Soomro has expired two years back. In fact the petitioner had challenged the letter dated 22.05.2007, whereby the Director Pension, Pakistan Water and Power Development Authority informed him for the recovery of Rs.2,26,000/- on account of imposing minor penalty upon him by the competent authority. Since the petitioner has expired and right to sue does not survive, therefore, the petition is abated. However, if the legal heirs have any grievance relating to the issue of recovery, they are at liberty to initiate proper proceedings in accordance with law.

The petition is disposed of accordingly alongwith pending application.

JUDGE

JUDGE