

**ORDER SHEET**  
**HIGH COURT OF SINDH AT KARACHI**

C.P. No.D-441 of 2010

---

Date	Order with Signature(s) of Judge(s)
------	-------------------------------------

---

**Present:**

**Mr.Justice Muhammad Ali Mazhar**

**Mr.Justice Abdul Maalik Gaddi**

Gul Sanat Shah.....Petitioner

V E R S U S

Government of Sindh & others.....Respondents

**HEARING OF CASES**

**For Regular Hearing**

**Date of Hearing: 23.01.2017**

Ch. Muhammad Ashraf Khan, Advocate for Petitioner.

Mr. Sibtain Mehmood, AAG.

-----

**Muhammad Ali Mazhar, J:** The letter sent to the hon'ble Chief Justice of this court by Gul Sanat Shah and Gulzar Ahmed was converted into petition by an administrative order dated 29.01.2010. Basically, the petitioner has approached this Court for implementation of the Order passed by the Provincial Ombudsman Sindh on 30.7.2009. The Finance Department was directed to immediately approve and make orders for payment of difference in the amount of salary, annual increment and payment of gratuity in favour of complainants and other persons, who were denied their right, which accrued while they were in the service of Transport Department, Government of Sindh.

2. Learned AAG submits that during pendency of this petition, the appeal/ representation filed by the Government of Sindh against the impugned order of Provincial Ombudsman has been decided and the

Governor of Sindh by condoning the delay in filing the representation, allowed the representation and set aside the decision of the Ombudsman. Since the order sought to have been enforced through this petition has already been set aside vide Order dated 19.5.2015 which has not been challenged by the petitioner, the petitioner is at liberty to seek appropriate remedy to challenge the order of the Governor of Sindh in accordance with law if so advised. Since the order of Ombudsman is not in field, its implementation at this stage cannot be ordered. Petition is disposed of accordingly.

Judge

Judge

