

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C. P. No. D-448 of 2011

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Date Order with signature of Judge

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**D/o Matter**

For order on CMA No.7239 /2018. (u/s 152 CPC)

**Date of hearing: 25.04.2018**

Ms. Rabia Jawed Advocate along with Petitioner No.4.  
Mr. Shahryar Mehar, AAG.

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**ORDER**

This Court vide order dated 27.11.2017 dismissed C.P. No. D-447 & 448/2011, D-3663 of 2010 and C.P. No. D-2423 of 2011 with the following observations:-

***“26. In view of what has been discussed above, the instant Constitutional Petitions are dismissed along with pending application(s)”.***

On 01.03.2018 Petitioner No.4 Sohno Jaferi in C.P. No. D-88 of 2013 (Larkana) has filed an application bearing CMA No. 7239 of 2018 under section 152 CPC praying therein to add the titled page of the Judgment dated 27.11.2017 passed by this Court in the aforesaid Constitution Petition enabling them to avail the remedy in accordance with law.

Learned counsel for the Petitioner has contended that this Court after hearing the parties in all the connected petitions dismissed the same vide order dated 27.11.2017 but due to clerical/ title error the judgment was announced only with regard to four petitions and remaining petitions were not mentioned therein. In support of her contention she relied upon the list of tagged or clubbed petitions in respect of which arguments were heard and thereafter reserved for judgment. She lastly prayed for allowing the petitioners in C.P. No. D-88 of 2013 to be added in the titled page of the Judgment dated 27.11.2017 passed by this Court.

6. Mr. Shahryar Mehar learned AAG has submitted that this Court heard the aforesaid four petitions only and announced the judgment on 27.11.2017. Learned AAG pointed out that C.P. No. D-88 of 2013 (Larkana) was disposed of along with bunch of petitions vide order dated 23.09.2014 as such in a disposed of matter the Petitioners in C.P. No. 88 of 2013 are not entitled to pray for adding their petitions as the same has already been disposed of. He lastly prayed for dismissal of the listed application bearing CMA No. 7239 of 2018.

8. We have heard learned counsel for the parties and perused the judgment dated 27.11.2017 passed by this Court in the aforesaid four Petitions.

9. Perusal of order dated 23.09.2014 passed by the learned Division Bench of this Court at Circuit Court Larkana in C.P. No. D-418, 2155 of 2010, C.P. No. D 2250 and 2605 of 2011, C.P. No.

D-452, 922, 1022, 1039, 1186, 1305, 1402, 1036 of 2012 and C.P. No. D- 59, 88, 318, 542, 600, 1004 and 1285 of 2013 and C.P. No. D-212 and 981 of 2014.

The relevant portion of the order dated 23.09.2014 is reproduced as under:-

**“ We have heard the arguments of the respective parties and perused the record and dispose of the above petitions in following terms:-**

- i) The committee as proposed in the terms of the order passed by the Hon’ble Supreme Court in C.P.L.A. No. 576-K and others of 2009 and C.P.L.A No. 15\_K of 2012 be formed and shall decide the matters;**
- ii) The committee shall give 30 days public notice in the newspapers, one in English one in Urdu and one in Sindhi preferably daily “Dawn” daily “Jang and daily “Kawish”.**
- iii) That the public notice shall be for all the petitioners and the persons who claimed to successful for the post of Assistant sub Inspector (BPS-09) for the test conducted in the year 1995;**
- iv) That the committee shall decide the matter after hearing all the concerned. The above exercise shall be completed within three months from the date of receipt of this order.**

**All these petitions stand disposed of in the above terms”.**

We have also perused the contents of the listed application and noticed that the Petitioner Suhno Jaferi, Petitioner No.4 in C.P. No. D-88 of 2013 has not disclosed the above factum and attempted to convince this Court that his aforesaid Petition/ name may be added in the titled page of the Judgment dated 27.11.2017 passed by this Court. We are not convinced with the assertion of the Petitioner.

In view of the foregoing we are of the considered view that the Petitioner had already filed C.P. No. D-88 of 2013 and the same was disposed of vide order dated 23.09.2014. Petitioner has also filed an application being CMA NO. 12794 of 2018 in C.P. No. D-88 of 2013 for the similar relief, therefore no further order is required to be passed by this Court. The listed application being CMA No. 7239 of 2018 is disposed of accordingly.

**JUDGE**

**JUDGE**

**Shafi Muhammad/PA**