

IN THE HIGH COURT OF SINDH, AT KARACHI

**Present:**

Mr. Justice Adnan-ul-Karim Memon  
Mr. Justice Adnan Iqbal Chaudhry

**C.P No. D- 1092 of 2014**

Muhammad Ramzan & others ..... Petitioners

V/s

Evacuee Trust Property  
Board & others ..... Respondents.

**Date of hearing:        08.11.2018**

Ms. Humaira Nadeem Rana, Advocate for the Petitioners.  
Mr. Manzoor Hameed Arain, Advocate for the Respondents  
Shaikh Liaquat Hussain, Assistant Attorney General

**ORDER**

**ADNAN-UL-KARIM MEMON, J:-** Mr. Manzoor Hameed Arain, learned counsel for the Respondents No. 1 & 2 has contended that the facts of the instant petition are akin to the facts as prevalent in C.P. No. D-979 of 2014. He has also placed on record a copy of the Judgment dated 02.11.2016 passed by this Court in the said petition and filed an application under section 151 CPC for disposal of the instant petition, office is directed to assign CMA number on the aforesaid application. Learned AAG raised his no objection if the captioned petition is disposed of in the same terms. At this stage, we asked from the learned counsel for the Petitioners as to whether she agrees to the proposal as given by the learned counsel representing Respondents. She candidly agreed for disposal of the captioned petition in the same terms as suggested by the learned counsel for the Respondents.

2. Heard the parties at length and perused the order dated 02.11.2016 passed by this Court in C.P. No. D-979 of 2014. An excerpt of the same is reproduced as under:-

***“2. By consent, this petition is disposed of along with pending applications in terms of para-3 of the order passed by the learned Lahore High Court, Lahore in Writ Petition No. 5392 of 2014 dated 17.02.2015.”***

3. In the present proceedings, Petitioners have asked for declaration to the effect that the impugned order dated 31.01.2014 and 07.02.2014 as illegal and unlawful. Petitioners have also sought direction to the Respondents to pay arrears of salary of the Petitioners for the period of nine months w.e.f. 02.01.2010 to 30.09.2010.

4. Since the learned counsel for the parties have consented for disposal of the instant petition in the same terms as decided by this Court in the case of Shoib Raza Jaferi & others supra, we deem it appropriate to dispose of the instant petition along with the pending application in terms of para 2 of the order passed by this Court in the aforesaid matter.

5. The instant petition stands disposed of in the above terms.

JUDGE

JUDGE

Shafi Muhammad P.A

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI

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Date Order with signature of Judge

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**Fresh Case.**

01. **For order on Misc. No. 8715/2018.**
02. **For order on Misc. No. 8716/17.**
03. **For hearing of main case.**

Syed Abrar Ahmed Bukhari Advocate for Petitioner.

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1. Granted.
2. Granted subject to all just exceptions.
3. It is stated by the learned counsel for the Petitioner that in the month of October 2017, Petitioner applied on medical ground to avail the facility of retirement from Government Servant. He states that since he was medically unfit Invalidation certificate has also been issued by the Services Hospital Government of Sindh Karachi regarding medical condition of the Petition but the Respondent No.1 has retired him on attaining the age of superannuation i.e. 60 years from 04.02.2018, which is not in accordance with law as in his view that the Petitioner is entitled to be retired on invalid pension basis rather than on attaining the age of superannuation.

Let notice be issued to the Respondents as well as learned A.A.G for 26.04.2018.

JUDGE

JUDGE

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Date Order with signature of Judge

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**Fresh Case.**

01. **For order on Misc. No. 8664/2018.**
02. **For order on office objection No.19.**
03. **For order on Misc. No. 8665/18.**
04. **For hearing of main case.**

Mr. Liaquat Ali Khaskheli Advocate for Petitioner.

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1. Granted.
2. To be complied within seven days.
3. Granted subject to all just exceptions.
4. It is stated by the learned counsel for the Petitioners that Petitioners are working as Stenographers in BS-12 in the Enquiries & Anticorruption Establishment Department, Government of Sindh, but they have not been given due promotion as given to their contemporaries, which is discrimination with them.

Let notice be issued to the Respondents as well as learned A.A.G for 25.04.2018.

JUDGE

JUDGE

Shafi Muhammad P.A

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Date Order with signature of Judge

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**Fresh Case.**

- 01. For order on Misc. No. 8722/2018.**
- 02. For order on Misc. No. 8723/2018.**
- 03. For order on Misc. No. 9724/2018.**
- 04. For hearing of main case.**

Petitioner in person.

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1. Granted.
2. Granted subject to all just exceptions.
- 3&4. It is stated by the Petitioner that the Respondent Nos. 4 to 22 have been appointed on contract basis and thereafter within short span of time their services were regularized and his seniority has been badly affected.

Let notice be issued to the Respondents as well as learned A.A.G for 26.04.2018, let Respondent No.4 be served through Respondent No.3.

JUDGE

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No. D-2080 of 2018

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Date Order with signature of Judge

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**Fresh Case.**

- 01. For order on Misc. No. 9024/2018.**  
**02. For order on office objection No.32.**  
**03. For order on Misc. No. 9025/2018.**  
**04. For hearing of main case.**

Mr. Mansoor Ali Panhwar Advocate for Petitioners.  
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1. Granted.
2. To be complied within seven days.
3. Granted subject to all just exceptions.
4. It is stated by the learned counsel for the Petitioners that Petitioners are disable persons but they have not been appointed on disable quota under the law, which is strictly to be followed.

Let notice be issued to the Respondents as well as learned A.A.G for 26.04.2018, let Respondent No.4 be served through Respondent No.3. Officer is directed to tag C.P No. D-7090/17 along with this Petition.

JUDGE

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No. D-2086 of 2018

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Date    Order with signature of Judge

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**Fresh Case.**

- 01.            For order on Misc. No. 9035/2018.**  
**02.            For order on Misc. No. 9036/2018.**  
**03.            For order on Misc. No. 9037/2018.**  
**04.            For hearing of main case.**

Mr. Ahmed Niazi Advocate for Petitioner.  
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1.      Granted.
2.      Granted subject to all just exceptions.

3&4. It is stated by the learned counsel for the Petitioner that husband of the Petitioner namely Wazir Hussain has expired on 24.07.2017 and as per the Provision of law widow is entitled to retain the Government's residence for the period of one year. He has further submitted that Respondents are bent upon to forcibly get the residence i.e. Flat No. H-5, Sector 14-B North Karachi, vacated from the Petitioner.

Let notice be issued to the Respondents as well as learned A.A.G. for 26.04.2018. In the meantime parties are directed to maintain status quo.

JUDGE

JUDGE



ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No. D-448 of 2016

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Date Order with signature of Judge

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**Priority.**

- 01. For hearing of CMA No. 1975/2016.**  
**02. For hearing of main case.**

Petitioner present in person.  
Mr. Shahazad Qamar Abbasi Advocate for Respondent.  
Mr. Sheryar Mehar, AAG.  
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Learned counsel for the Respondent states that case of the Petitioner would be considered on humanitarian ground and all possible efforts would be made to accommodate the Petitioner on any post which commensurate with his qualification. Petitioner is satisfied with the statement made by the learned counsel for Respondent and does not press the instant Petition, which is disposed of accordingly.

JUDGE

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No. D-2008 of 2016

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Date Order with signature of Judge

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**Priority.**

- 01. For orders on office objections.**
- 02. For hearing of CMA No. 8984/16.**
- 03. For hearing of main case.**

Mr. Abdul Mujeeb Pirzada and Syed Khalid Shah  
Advocate for Petitioner.  
Ms. Saman Rafat Imtiaz Advocate for Respondents.  
Mr. Sheryar Mehar, AAG.  
Shaikh Liaquat Hussain, Assistant Attorney General.  
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Learned counsel for the Respondent Bank is directed to explore the possibility to accommodate the Petitioner who appears to be elderly and infirm person. Learned counsel for Respondent has further submitted that she will try to her level best that the Petitioner may be accommodated so that his pensionery benefits could be restored.

Adjourned.

JUDGE

JUDGE

**02.03.2018**

Mr. Muhammad Qutbuz-Zaman Advocate for the  
Petitioner.  
Shikh Liaquat Hussain, Assistant Attorney General.  
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Partly heard the arguments of learned counsel for the  
Petitioner. Learned Assistant Attorney General has filed a statement  
on behalf of Respondents, which is taken on record. He seeks time to  
attach some more documents and argue the matter.

To come up on 13.03.2018 at 11.00 a.m.

JUDGE

JUDGE

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No. D-592 of 2018

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Date Order with signature of Judge

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- 01. For orders on office objection.**  
**02. For hearing of Misc. No. 2439/18.**  
**03. For hearing of main case.**

**02.03.2018**

Mr. Ali Asadullah Bullo Advocate for the Petitioner.  
Shikh Liaquat Hussain, Assistant Attorney General.  
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Mr. Muhammad Khalil Dogar Advocate has filed vakalat nama on behalf of the Respondent No.2, which is taken on record. Mr. Irfan Mir Halepota, Advocate has filed vakalat nama on behalf of Respondent No. 3 as well as counter affidavit of application under order XXXIX Rule 1 &2 CPC, which are taken on record. He seeks time to file comments.

Shikh Liaquat Hussain, Assistant Attorney General states that he will adopt the argument of learned counsel for Respondent No.2 and 3.

Adjourned.

JUDGE

JUDGE

Shafi Muhammad P.A

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No. D-1933 of 2015 & 4407 of 2016

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Date Order with signature of Judge

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**For hearing of main case.**

**02.03.2018**

Mr. Ali Asadullah Bullo Advocate for the Petitioners.  
Ch. Muhammad Rafiq Rajorvi, AAG.

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Learned counsel for the Petitioner states that three Petitions were of identical nature have already been disposed of, hence these two petitions may be disposed of in the same terms.

He has furnished before us a copy of the order passed by this Court on 22.01.2018 in C.P. Nos. D-1254, 1255 and 1256 of 2015.

The learned AAG has no objection for disposal of the same on the same ground as disposed of by this bench, while disposed of these petition on 22.01.2018 in the petitions bearing Nos.D-1254, 1255 and 1256 of 2015. Be therefore after hearing of the learned counsel for parties the instant petition was disposed of and was directed that the Respondent No.1 would thoroughly examine the cases of the petitioners and their credentials and if the petitioners fulfill the criteria as laid down in the law and as per the prevalent rules and regulations the cases of the petitioners may be considered and disposed of accordingly, after giving proper opportunity of hearing to the petitioners. Such exercise is to be completed preferably within a period of one month from the date of receipt of this order.

With the above observations the instant petition stand disposed of.

JUDGE

JUDGE

Shafi Muhammad P.A

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Date

Order with signature of Judge

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**For Direction**

**1. For hearing of CMA NO. 15971 of 2017.**

**09.04.2018**

Mr. Shoukat Iqbal Advocate for the Petitioner.  
Mr. Shahid Mehmood Khokhar advocate for the alleged  
contemnor No.1 & 2 along with Muhammad Ameen Memon  
alleged contemnor No.2.  
Mr. Shaikh Liaquat Hussain, Assistant Attorney General.

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Learned counsel for the alleged contemnor No.1 and 2  
states that he will comply with the previous order passed by  
this Court.

He is directed to comply of the previous order passed by  
this Court and the Petitioner may be appointed on  
regularization basis afresh as order passed by the Hon'ble  
Supreme Court in the case of Ejaz Akbar Kasi (PLD 2011 SC  
22) within 03 days from today.

Adjourned.

JUDGE

JUDGE

Shafi Muhammad P.A

IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No. D-3494 of 2013

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Date Order with signature of Judge

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**For hearing of main case.**

**10.04.2018**

Mr. Hakim Ali Khan Advocate for the Petitioner.  
Mr. Amanul Haq advocate for the Respondent Nos. 2,3 and 4.  
Mr. Shaikh Liaquat Hussain, Assistant Attorney General.

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Query has been raised from the learned counsel for the Respondents No. 2,3 and 4 that when it is averred that they did not appear before the Selection Committee held on 26.04.2012, whether he was called before the Selection Committee or not. Since as per counsel for the Petitioner that Petitioner was never called by the Selection Committee for this purpose. Learned counsel for the Respondent No. 2, 3 and 4 seeks time. Time is granted. He is directed to submit a statement with regard to calling the Petitioner before the Selection Committee held on 26.04.2012 with relevant documents.

To come up on 26.04.2018 at 11.00 a.m.

JUDGE

JUDGE