

*Order Sheet*

**IN THE HIGH COURT OF SINDH AT KARACHI**

**Constitutional Petition No.D – 5423 of 2018**

Before :

Mr. Justice Nadeem Akhtar

Mr. Justice Adnan-ul-Karim Memon

Rizwan Ahmed Khan & another V/S Province of Sindh & 02 others.

For Direction:

1. For order on CMA No.7216 of 2020 (U/A):
2. For order on CMA No.549 of 2020 (Contempt):

Date of hearing

& decision : 05.03.2020.

Petitioner Rizwan Ahmed Khan (CNIC No.42101-1129777-9) present in person.  
Mr. Hakim Ali Shaikh, Additional Advocate General Sindh.

**ORDER**

1. Urgency granted.
2. Through the listed application under section 3 & 4 of the Contempt of Court Ordinance, 2003, petitioners have approached this Court for initiation of contempt proceedings against the alleged contemnors. The petitioners' case is that they were appointed purely on daily wages for 89 days in Youth Affair Department Monitoring and Evaluation Cell in the year 2012 and their services were recommended for regularization vide office order dated 08.03.2013, but to no avail, however, they continued on their jobs till 2015 and after completion of the project, their services stood discontinued as per terms of their appointment orders. Petitioners being aggrieved by and dissatisfied with non-regularization of their services has approached this court on 21.07.2018.

This court vide order dated 24.05.2019 directed the petitioners to approach Muhammad Zia Abbas, Deputy Secretary, Sports Department, Government of Sindh by filing proper application(s) who agreed to forward such application(s) to the competent authority for consideration of their cases for regularization on merits.

Mr. Hakim Ali Shaikh, Additional Advocate General Sindh, refers to the compliance report dated 04.09.2019 and submits that the order passed by this Court has been complied with in its letter and spirit.

We have seen the compliance report, which explicitly shows that their cases were put up before the competent forum and considered for regularization of services, but were rejected on the premise that they were engaged in the project, which completed its tenure period. The record reflects that previous contempt application bearing CMA No.24442 of 2019 filed by the applicants was disposed of vide order dated 04.09.2019 and they were left at liberty to call in question the aforesaid decision of the competent forum if they were aggrieved at all.

This is the second contempt application arising out of order dated 24.05.2019 passed by this Court. This application is not maintainable on the ground that their earlier plea was discarded by this court in their earlier application, now they have again attempted to convince this Court by filling the second contempt application on the same grounds, which is not tenable under the law. Accordingly, the application is dismissed.

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