

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-2303/2020

Date	Order with Signature(s) of Judge(s)
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Present
Mr. Justice Muhammad Ali Mazhar.
Mr. Justice Arshad Hussain Khan.

Minhaj Ahmed Qidwai..... Petitioner

Versus

The Province of Sindh & others..... Respondents

Date of hearing, 23.10.2020

Mr. Aamir Aziz Khan, Advocate for the Petitioner.
Malik Naeem Iqbal, Advocate for the Respondent No.3.
Mr. Shaharyar Mehar, AAG.

Muhammad Ali Mazhar, J: This is a quo warranto petition in which the petitioner has sought declaration that the respondent No.3 is not a qualified Chairperson of Board of Commissioners, Sindh Healthcare Commission. It is further prayed for restraining the respondent No.3 not to extend threats or taking any adverse action against the petitioner. Further prayer has been made to restrain the respondent No.3 from interfering in the Administrative duties and functions of the petitioner and to conduct probe through any independent body against the respondent No.3 and to take over the charge from present Board of Commissioners and in the matter particularly under what authority of law the respondent No.3 is running the affairs of the Commission.

Notice was issued to the respondents. Malik Naeem Iqbal advocate filed Vakalatnama on behalf of the respondent No.3 and on the last date of hearing i.e. on 30.09.2020 it was specifically pleaded by the learned counsel for the respondent No.3 that the respondent No.3 has already resigned and is no more chairperson of the Sindh Healthcare Commission,

Karachi and after her resignation, the present petition of the petitioner has become infructuous.

We have ourselves examined the prayer clauses of the petition with regard to issue of writ of quo warranto. The counsel for the respondent No.3 has again made statement at bar that the respondent No.3 has resigned from the post of Chairperson of the Sindh Healthcare Commission, Karachi and this fact has also been confirmed by the learned AAG, therefore, there is no further purpose to remain this petition pending.

In view of the above position, this petition has become infructuous and disposed of accordingly. However, if the petitioner has any other grievance other than the issue of quo warranto, he may file fresh petition in accordance with law.

JUDGE

JUDGE

MUSHARRAF ALI

