

ORDER SHEET

HIGH COURT OF SINDH AT KARACHI

C.P. No.D-6252 of 2021

Date	Order with signature of Judge
------	-------------------------------

1. For orders on Misc. No.26544/2021 (U/A)
 2. For orders on office objection No.04.
 3. For orders on Misc. No.26545/2021 (Ex/A).
 4. For orders on Misc. No.26546/2021 (Stay)
 5. For hearing of main case
-

18.10.2021.

Mr. M. Jehangir Siddiqui, advocate for the petitioner.

>><<

1. Urgency granted.

2-5. Through this petition, the petitioner seeks suspension of the Notification dated 30.09.2021, whereby he has been directed to report to Works & Services Department, as, according to the learned counsel, the respondent No.2 was not competent to issue the said Notification during the pendency of Service Appeal No.904/2021.

At the very outset, the learned counsel was directed to satisfy as to how this petition is maintainable when the aforesaid Service Appeal filed by the appellant before the Sindh Service Tribunal challenging the previous transfer order is pending. The learned counsel in this regard stated that since the impugned Notification is illegal hence present petition has been filed. Such contention of the learned counsel carries no weight, as one cannot be allowed to sail in two boats at the same time. Since the Service Appeal filed by the petitioner before the Sindh Service Tribunal against the earlier transfer order is pending adjudication, the instant petition is found to be not maintainable, which is, accordingly, dismissed in limine, along with the listed applications. The petitioner, however, is at liberty to seek legal remedies as available to him under the law.

JUDGE

JUDGE