

ORDER SHEET

HIGH COURT OF SINDH AT KARACHI

C.P. No.D-6254 of 2021

Date	Order with signature of Judge
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1. For orders on Misc. No.26549/2021 (U/A)
 2. For orders on Misc. No.26550/2021 (Ex/A).
 3. For orders on Misc. No.26551/2021 (Stay)
 4. For hearing of main case
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20.10.2021.

Mr. Khadim Hussain Thaheem, advocate for the petitioners.

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1. Urgency granted.

2to4. The instant petition has been filed on the ground that the respondents may be restrained from getting the accommodation in possession of the petitioners vacated. Learned counsel appearing for the petitioners states that since a review application has been filed against the judgment /decision dated 17.08.2021 given by the Hon'ble Supreme Court of Pakistan in Civil Appeal No.491/2021, therefore impugned notices issued by the respondents to the petitioners for vacating the accommodation in their possession may be declared as void ab-inito.

Learned counsel for the petitioners has been heard and the record has been perused.

Since appointment of the petitioners has been declared to be illegal by the Hon'ble Supreme Court of Pakistan in the above referred decision, the occupation of the government accommodation by the petitioners appears to be not only illegal but also uncalled for. Hence, in our view, the petitioners cannot legally occupy the government accommodations provided to them as their very appointments has been declared by the Hon'ble Supreme Court of Pakistan to be illegal and thus they are required to vacate the same and no lease in this regard could be granted to the

petitioners for occupying the official accommodations either on legal ground or on humanitarian ground of which, after the announcement of judgment by the Hon'ble Supreme Court, they are not legally entitled to occupy the same, until and unless reviewed /reserved by the Apex Court. We, therefore, under the circumstances, do not find any merit in this petition, which is dismissed in limine along with the listed applications and direct the petitioners to vacate the government accommodations as per the directions already issued to them by their respective department.

JUDGE

JUDGE