

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
C.P.No. D- 322 of 2022

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| Date of hearing | Order with signature of Judge. |
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Fresh Case

- 1.For orders on CMA 1394/22
- 2.For orders on office objection
- 3.For orders on CMA 1395/22
- 4.For hearing of main case

Date of Hearing & Order: 07-04-2022

None present on behalf of the Petitioner.

ORDER

Through this Petition, the Petitioner seeks appointment as Primary School Teacher (PST) with Respondents pursuant to some advertisement and recruitment exercise carried out in the year 2013. It is the case of the Petitioner that he had qualified in the written test, but no appointment order was issued; hence, instant Petition.

None present on behalf of the Petitioner nor any intimation received. However, we have perused the record and it appears that various identical Petitions have already been dismissed by this Bench and while dismissing the C.P No.D-179 of 2022, vide Order dated 01.03.2022, the following Order was passed by this Bench:

“Through this Petition, the Petitioners seek appointment as School Teachers (PST & HST) with Respondents pursuant to some advertisement and recruitment exercise carried out in the year 2013. It is the case of the Petitioners that they had qualified in the written test and interview, but no appointment orders were issued; hence, instant petition.

We have confronted the Petitioners' Counsel as to involvement of laches in this matter and in response; he submits that on similar facts, certain orders have been passed by Circuit Court, Hyderabad in various petitions as stated in para-6 of the Petition. However, we are not inclined to consider the case of the

Petitioners, as apparently laches is involved and no justifiable case has been made out in this regard; except reliance on the said orders. Nonetheless we have also perused one such order dated 26.01.2022 in CP No. D-1416 of 2020, and are of the considered view that it is not a binding precedent insofar as laches are concerned as the same has not been adjudicated or decided by the said Court at all; hence, any reliance on it is misconceived. Moreover, it is a disposal order with certain directions and not a judgment to follow by itself.

Accordingly, this Petition being hit by laches is not maintainable and the same stands **dismissed in *limine*** with pending applications”.

Moreover, subsequently, another Division Bench at Hyderabad Circuit Court has also dismissed various identical Petitions vide order(s) dated 30.3.2022 and 31.03.2022 in C.P. Nos. D-458 of 2022 and other connected matters and C.P. Nos D-594 of 2022 and other connected matters respectively.

In view of the above, this Petition also stands **dismissed in *limine*** for the aforesaid reasons with pending applications.

JUDGE

JUDGE

Ahmad