

ORDER SHEET
**HIGH COURT OF SINDH CIRCUIT
COURT, HYDERABAD**

**C.P No.D-868, 879, 890, 908, 985, 994, 998,
1012, 1019, 1024, 1046 & 1054 of 2022**

Before:-

Mr. Justice Muhammad Shafi Siddiqui

Mr. Justice Irshad Ali Shah

Date of hearing & Order:

29.03.2022

M/s Kewal Kumar, Mushtaque Hussain Khaskheli, Manzoor Ahmed Panhwar, Om Parkash H. Karmani, Samiullah Rind & Ali Hassan Chandio, advocates for petitioners in C.Ps No.D-868, 879, 890, 908, 985 & 994 of 2022

None present for petitioners in C.Ps No.D-998, 1012, 1019, 1024, 1046 & 1054 of 2022

ORDER

MUHAMMAD SHAFI SIDDIQUI, J:- Since in all these petitions common question of law i.e. laches is involved, therefore, we prefer to decide these petitions by a common order.

2. This process of recruitment was triggered in the year 2013 and petitioners claimed to be a part of that process; however, the recruitment was denied. They have now filed these petitions after almost nine years that their rights were ignored; and that they should have been appointed in the recruitment process that was initiated in the year 2013. Learned counsels for the petitioners submit that they would be satisfied, if the petitioners be directed to surrender before the Grievance Redressal Committee, as ordered by different Benches. They have relied upon an order of a Division Bench of this Court dated 16.02.2022, passed in C.P No.D-290 of 2022, attached as annexure-B.

3. We have heard the learned counsels and perused the record. At the very outset, we are of the view that the petitioners' grievance, if any, was triggered in the year 2013, when the alleged recruitment was denied. They could have initiated legal proceedings for the denied relief, but they failed. They have now moved these petitions after almost nine years and apparently the petitions suffer from laches. The reliance on the order dated 16.02.2022 cannot be made, as the issue of laches was not conclusively decided therein. For the legal question under consideration, the referred judgment cannot be relied upon. Petitioners may have

outstanding credentials or they may be successful in all written examinations, as alleged, with outstanding numbers, but such alone would not overcome the point of laches, as involved in these petitions. None of the Benches, whose orders have been cited, have addressed this point, therefore, we are of the view that since the point of laches has not been decided conclusively, those orders would not bind this Bench to follow similar view in view of the point under consideration. There is no such order of equal Bench of this Court, which has addressed on the issue of laches and then ordered for appearance before Redressal Committee. Since the question of laches was never discussed in detail in any of the cited orders, we are of the view that these petitions suffer from laches and hence same are accordingly dismissed alongwith listed application(s).

JUDGE

JUDGE

Sajjad Ali Jessar