

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-6979 of 2022

Date	Order with signature of Judge
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FRESH CASE.

1. For orders on Misc. No.30393/2022.
2. For orders on Office Objection No.01, 03 & 05.
3. For orders on Misc. No.30394/2022.
4. For hearing of main case.

24.11.2022.

Petitioner Shabbir Aslam is present in person.

YOUSUF ALI SAYEED, J. - On the cusp of the incumbent Chief of Army Staff's retirement and the appointment of his successor, the Petitioner has sought to invoke the jurisdiction of this Court under Article 199 of the Constitution, praying that directions be issued for such immediate transition, failing which the Chief Naval Staff be appointed to the post. Needless to say, upon presentation of the matter, the Office had raised an objection as to its maintainability. Today upon the case coming up in Court, we had similarly posed a query to the Petitioner, as to how the subject fell within the jurisdiction of this Court under Article 199 of the Constitution. However, no cogent response was forthcoming and the Petitioner instead adopted a non-serious attitude so as to merely contend that there was an apprehension of a clash between political forces and the general public. Under the given circumstances, we are of the view that the Petition is frivolous and entirely misconceived. That being so, while granting the application for urgency, we dismiss the Petition *in limine*, along with the other miscellaneous applications with cost of Rs.10,000/- to be deposited towards the Prime Minister's Flood Relief Fund 2022, and the receipt to be submitted in the Office within seven days from the date of this Order.

JUDGE

CHIEF JUSTICE

MUBASHIR