

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P No. D- 5672 of 2022

Date Order with signature of Judge

Fresh Case.

1. For order on office objection No. 18 & 26.
2. For order on CMA No. 24190/22.
3. For hearing of main case.

27.10.2022.

Mr. Javed Ahmed Shar, Advocate for Petitioner.

On the last date of hearing, Petitioner's Counsel was directed to place on record the Declaration regarding brother of the Petitioner being declared as "Shaheed" under The Sindh Shaheed Recognition and Compensation Act, 2014. However, today, learned Counsel submits that the same is not available as the brother of the Petitioner had expired in 1995 and at that point of time, no such Certificate was supposed to be issued. However, he has contended that the Petitioner is entitled for appointment on the basis of "Shaheed Quota" as provided under the said Act. In support he has also placed reliance on two orders dated 22.08.2019 passed in C.P No. D-1569 of 2019 and 08.02.2022 passed in C.P No. D- D-6061 of 2021.

We have heard the Petitioner's Counsel and perused the record. Admittedly, the brother of the Petitioner, as claimed expired on 18.02.1995 due to some fire arm injury and according to the Petitioner, he is a "Shaheed" and entitled for the benefit, as provided in 2014 Act. However, in our considered view since the brother of the Petitioner had expired much before the promulgation of 2014 Act; hence apparently he is not entitled for any such benefit as the said Act is not applicable retrospectively. Whereas, he has not been able to show as to how any such benefit, as claimed, can be granted to the Petitioner. As to placing reliance on orders, noted above, it would suffice to observe that they have no relevance to the present case and question raised by us.

In view of hereinabove facts and circumstances, Petition appears to be misconceived as no right has accrued to the Petitioner; hence the same is dismissed in limine with pending application(s).

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