

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP D 1793 of 2023

Date	Order with signature of Judge(s)
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1. For orders on CMA No.9095/2023.
2. For orders on CMA No.9096/2023.
3. For hearing of main case.

08.05.2023

Mr. Waqarullah Korejo, advocate for the petitioners.

The petitioners, 87 in number, essentially seek to have their appointments / credentials, already determined to be fake, reappraised in order to give effect to their purported appointments claimed to have been awarded in 2011 / 2012. Reliance was placed on ostensibly a consent order of the august Supreme Court dated 16.12.2021 in CP 46 of 2018 and connected matters, notwithstanding the admitted fact that the petitioners had no nexus with the said proceedings or order therein.

At the very onset, the learned counsel was confronted with respect to the maintainability hereof; *inter alia*, with regard to *laches*¹ and as to what vested right did the petitioners enjoy to seek the relief claimed, being entirely incumbent upon determination of disputed factual controversies requiring inquiry and / or evidence². Learned counsel remained unable to satisfy the Court on either count. Furthermore, no cavil was articulated with respect to the observation that the order of the august Court was *prima facie* in *personam* and the petitioners were never part of the said proceedings.

In view hereof, this petition is found to be *prima facie* misconceived, hence, while granting the application for urgency, the petition and the listed applications are hereby dismissed in *limine*.

JUDGE

JUDGE

¹ We remain cognizant of a *pari materia* Judgment dated 01.04.2015 of the Honorable Supreme Court of Pakistan in *Civil Petition No.186-K of 2013 (Muhammad Arif & Others vs. Province of Sindh through Chief Secretary & Others)*, whereby the claims of similar placed petitioners were rejected *inter alia* on the ground of *laches*.

² 2016 CLC 1; 2015 PLC 45; 2015 CLD 257; 2011 SCMR 1990; 2001 SCMR 574; PLD 2001 Supreme Court 415.