

ORDER SHEET  
HIGH COURT OF SINDH CIRCUIT COURT,  
HYDERABAD

C.Ps No.D-594, 634, 677, 700, 750, 794, 841, 896 & 899 of 2022

C.Ps No.D-901, 902, 903, 904, 905, 907, 910, 914, 916, 917, 919,  
922, 924, 925, 927, 928, 929, 931, 932, 933, 935, 936, 937, 940,  
942, 943, 948, 949, 951, 952, 953, 954, 955, 956, 957, 958, 960,  
961, 962, 963, 980, 995, 996 & 999 of 2022

C.Ps No.D-1000, 1001, 1002, 1003, 1014, 1016, 1017, 1018, 1020,  
1021, 1027, 1028, 1033, 1038, 1039, 1049, 1051, 1055, 1057, 1058,  
& 1062 of 2022

*Before:-*

Mr. Justice Muhammad Shafi Siddiqui  
Mr. Justice Irshad Ali Shah

Date of hearing & Order:

31.03.2022

M/s Piyas Ali Soomro, Abdul Nasir Lakho, Zohaib Ahmed Mastoi, Shakir Nawaz Shar, Khalil-ur-Rehman, Syed Khalid Ali, Kazi Naveed Ahmed, Rao Faisal Ali, Sheeraz Ali Bhatti, Jawaid Jabbar Belai, Syed Toufique Ahmed, Habibullah Palh, Qadir Bux Ghirano, Roshan Ali Azeem Mallah, Nasrullah A. Khaskheli, Kirshan Kumar Bheel, Zahid Mallah, Khalid Ahmed Unar, Sadam Hussain Keerio, Zulfiqar Ali Chandio, Zaheer Ali Soomro, Liaquat Ali Malik, Intizar Ali Dahri, Nouman Sahto, Mir Ali Bakhsh Talpur, Mehwish Qureshi, Fazal Baloch, Muhammad Umer Laghari, Mazhar Ali Laghari, Imam Ali Chang, Badal Gahoti, Kashif Hussain Agha, Wazir Hussain Chandio, Mian Taj Keerio, Sartar Iqbal Panhwar, Abdul Hafeez Daudani, Qurban Ali Kumbhar, Altaf Sachal Awan, Asad Ali Mari, Gulab Khan Kaimkhani, Aijaz Ahmed Chandio, Atif Imran Khuwaja, Zohaib Hassan Pahore, Ali Asghar Mangi, Muhammad Waseem, Munawar Ali, Muhammad Ayoub Kassar, Yasir Hussain Malik, Muhammad Ali, Wishan Das Kolhi, Muzaffar Hussain, Agha Waqar, Maqbool Ahmed Nizamani, G.M Laghari, Muhammad Razzaque Shaikh, Faisal Nadeem Abro, Karim Bux Rind, Awais Aziz Arain, Mushtaque Ali Tagar, Adnan Ahmed Khan, Khait Kumar Khatri, Mahesh Kumar, Irfan Ali Bughio, advocates for petitioners

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ORDER

MUHAMMAD SHAFI SIDDIQUI, J:- This bunch of petitions involves a common question with regard to applicability of laches since the cause to these petitioners accrued in the year 2013 when the recruitment was denied. On

29.03.2022, we heard a bunch of petitions, leading being No.D-868 of 2022 and others involving a common question and the following order was passed:

"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).

2. Now since similar question is involved in these petitions we cannot take a different view and accordingly these petitions are dismissed alongwith listed applications on the same count.

  
JUDGE

  
JUDGE

Sajjad Ali Jessar