

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP D 12 of 2024

Date	Order with signature of Judge(s)
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Disposed of matter

1. For orders on CMA No.23698/2024.

26.10.2024

1. This is a review application in respect of the following order dated 10.07.2024, passed at Hyderabad.

"10.07.2024

Mr. Tajuddin Khoja, Advocate for the petitioner.
Mr. Muhammad Ismail Bhutto, Additional Advocate General,
Sindh.

Present petition seeks regularization predicated on some purported past contract of service, admittedly since terminated. The law of regularization is well settled and has been recently enunciated by the Supreme Court in the case of Vice-Chancellor Agriculture University, Peshawar and others vs. Muhammad Shafiq & others (Civil Petition 2270 of 2019) and connected matters reported as 2024 SCMR page-527.

Even otherwise the petitioner had earlier filed a petition, being C.P D-3357 of 2018, and the same was disposed of vide order dated 31.10.2019. Reagitation of the same lis in a subsequent petition inter alia militates against order II Rule 2 C.P.C.

In view hereof petition is prima facie misconceived and dismissed."

The matter has been fixed at the Principal Seat pursuant to the orders of the honourable Chief Justice, since the Bench no longer remained on roster at Hyderabad. The Bench assembled, however, the applicant remained unrepresented without intimation or justification. While it was a fit case for dismissal for non-prosecution, however, it was considered appropriate to go through the memorandum of application / affidavit and see whether any case for review was made out. Respectively none could be discerned from the record.

The jurisdiction of this Court in review proceedings is limited to the ambit of Section 114 read with Order 47 CPC. The crux of the content pleaded was directed towards merits of an already dismissed case and there was absolutely no effort to identify any mistake or error apparent on the face of the record or any other sufficient reason justifying a review of the Order. This Court has duly appraised the contents of the present application and is of the considered opinion that no grounds for review have been made out. The applicant has not demonstrated the discovery of

any new and important matter which could not have been addressed earlier; has failed to identify any mistake apparent on the face of record; and finally no reason has been advanced to justify the review of the Order. It is thus the considered view of this Court that this application is devoid of merit, hence, the review application is hereby dismissed *in limine*.

Judge

Judge

Khuhro/PA