

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-1624 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on M.A. No.7852/2024
For orders on office objection
For orders on M.A. No.7853/2024
For orders on M.A. No.7854/2024
For hearing of main case.

31.10.2024

Mr. Sajjad Ahmed Chandio Advocate for Petitioner.

1. Urgency is granted.

2to5. Petitioner has challenged the ongoing Enquiry Procedure. According to Petitioner's Counsel, Petitioner has not been given proper documents which is a requirement of E & D Rules 1974. He has cited the Judgment reported in **2024 SCMR 1757 (GHULAM MURTAZA SHEIKH and another versus The CHIEF MINISTER, SINDH and others)**.

Contents have been perused so also the Judgment. In the reported case the Petitioners first have availed remedy in the Service Tribunal, which the Petitioner has not. In the present form, this Petition is not maintainable, as Petitioner is a civil servant, and Constitutional bar contained under Article 212 of the Constitution will apply, because disciplinary proceedings is a matter relating to terms of his service. In view of the Supreme Court Judgment in the case of ALI AZHAR KHAN BALOCH and others versus PROVINCE OF SINDH and others (2015 SCMR 456), such nature of petition is not maintainable.

Petition is dismissed along with pending applications. However, Petitioner can avail remedy as per Service Rules.

JUDGE

JUDGE

Ali Haider

