

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
C.P. No.D-5057 of 2024

Date	Order With Signature Of Judge
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1.For hg of CMA No.22462/24  
2.For hg of main case  
26.02.2025.

Mr. Muhammad Ali Lakhani, advocate for petitioners.  
Ms. Raafia Rizwana, advocate holding brief for  
Mr. Yousuf Moulvi, advocate for respondent No. 1.  
M/s. Khalid Javed, Farkhunda Shaheen and Munawar Juna,  
advocates for respondent No. 2.  
M/s. Anwar Mansoor Khan and Umaimah Anwar Mansoor Khan,  
advocates for respondents No. 4 & 5 .  
Mr. Gulfaraz Khattak, Assistant Attorney General.

After arguing the matter at some length, learned counsel for the petitioners, when confronted with the fact that petitioners have already filed civil suits before this Court on original side on more or less identical cause of action: challenging appointment of Director, International Centre for Chemical and Biological Sciences; and where he can ask for additional remedy, if any, by seeking necessary amendments in the pleadings covering any issue having an effect over the outcome of the case, how this petition is maintainable, learned counsel for the petitioners has agreed to raise all the same pleas agitated herein for seeking all reliefs in the suit through necessary amendments, which may include the relief against respondents No. 4 and 5 for being members of Selection as well as Executive Board, who, according to him, are *biased* against the petitioners and therefore their presence in the Board is likely to cause prejudice to selection of the petitioners to the post of Director ICCBS.

On the other hand, learned counsel for the respondents have raised question over maintainability of this petition in terms of Article 199 of the Constitution in the light of ratio laid down in **MUHAMMAD**

***ZAHID MAQSOOD V. UNIVERSITY OF KARACHI through Vice Chancellor and 4 others (2013 MLD 9) and AMIR JAMIL V. UNIVERSITY OF KARACHI through Registrar and 2 other (2018 PLC (C.S) 542).***

However, according to them, if any application is filed by the petitioners seeking amendment in the suits for reliefs including but not limited to respondents No. 4 and 5, they would contest the said application on merits in accordance with law.

In view of above, this petition is disposed of accordingly. The petitioners are, however, at liberty to raise or include any issue in the suits, which they have agitated in this petition, before the learned single Judge by moving a proper application for amendment, subject to all just exceptions. As and when such application is filed, the same shall be decided in accordance with law expeditiously.

With these observations, the petition is disposed of along with pending application.

JUDGE

JUDGE

HANIF