

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
H.C.A. No.506 of 2024

Date	Order With Signature Of Judge
------	-------------------------------

- 1.For orders on office objection a/w reply at A
 - 2.For hg of main case
 - 3.For hg of CMA No.3154/24
- 30.01.2025.

Mr. Shahzeb Akhtar Khan, advocate for the appellants.
Malik Naeem Iqbal, advocate for respondents No. 1 & 2.
Syed Hussain Shah, AAG.

Respondent No. 1 has filed a suit before a single Judge of this Court bearing No.1254 of 2024 seeking declaration and injunction in regard to various reliefs, in which, an interim order has been passed whereby an Office Order dated 29.11.2024, issued by Executive Director, JPMC posting certain individuals in Neurosurgery Ward has been suspended. The appellants have filed this appeal being aggrieved by the said order on the ground that they are being impacted adversely by said order as despite being posted in the Neurosurgery Department through the said order, they are not being allowed to work there.

After hearing the parties, we have observed that appellants are not party in the suit firstly and secondly the order challenged by them is an interim order. Even the application under Order 39 Rules 1 and 2 CPC is pending before the learned single Judge in the suit. Therefore, instead of challenging the impugned order, in our view, the appellants shall file a proper application before the learned single Judge to be impleaded as a party in the suit and may file an application for recalling the impugned order under relevant provisions of law. We are hopeful that if such applications are filed, the same will be decided expeditiously within a period of one month.

The appeal is accordingly disposed of along with pending application.

JUDGE

JUDGE