

**Order Sheet**  
**IN THE HIGH COURT OF SINDH,**  
**BENCH AT SUKKUR**

Const. Petition No.D-672 of 2024  
(*Syed Saleem Shah v. The Fed. of Pakistan & others*)

Date of hearing	Order with signature of Judge.
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**Hearing of Case**  
1.For orders on o/objections  
2.For hearing of main case

**21-05-2025**

Syed Naveed Ahmed Shah, D.A.G a/w Khadim Hussain Tunio, Divisional Services, Postal Services, Sukkur.  
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Syed Zulfiqar Ali Shah, Advocate files Vakalatnama as well as counter-affidavit on behalf of petitioner, taken on record.

This petition is filed by the petitioner with the following prayer:

- “a. To direct the Respondent No.03 to consider the case/matter of the petitioner as well as the case of the co-petitioner namely Allah Jewayo has been considered by the respondents department.
- b. To direct the Respondent No.03 for issuance of re-engagement orders in favour of Petitioner and allow to join the duty on the post of Clerk BPS-7, Regional Office Sukkur in accordance, it is clearly approved by Competent Authority Establishment Division Islamabad, and constitute a committee for (DSC) to regularize the service from first initial engagement as per (2<sup>nd</sup> Regular Policy) vide Director General Pakistan Post Islamabad letter No.ER.10.06/2019 dated 25.04.2019, 23.12.2019 and 19.04.2021 Para 2&4 in the interest of justice”.

After issuance of notices, the respondents filed their comments. In their comments, they contended that an earlier petition seeking the same relief was filed by the petitioner as **Constitutional Petition No. D-2211 of 2013**, which was decided vide order dated **11.03.2015**, wherein directions were issued to the Director General, Post Offices, Islamabad, to reconsider the petitioner’s case if it was found to be at

par with the cases of other individuals who had been regularized under identical or similar circumstances.

Subsequently, the petitioner filed a contempt application, which was dismissed vide order dated **21.09.2021**. Thereafter, the present petition has been filed seeking the same relief.

When confronted with the above factual position and questioned as to how the present petition is maintainable, given that the petitioner has already agitated the same grievance earlier and the matter stands concluded, and in view of the fact that the subsequent petition is barred by the principle of *res judicata* under Section 11 of the Code of Civil Procedure (CPC), learned counsel for the petitioner could not offer a satisfactory explanation. He merely submitted that while the services of co-petitioners in C.P.No.D-2211 of 2013 have been regularized, the petitioner's case has not yet been considered.

Since the earlier petition and the subsequent contempt application, both concerning the same cause of action, have already been decided by this Court, the present petition, being a repetition of the same relief, is **not maintainable** and is accordingly **dismissed**.

**JUDGE**

**JUDGE**