

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**

Constitutional Petition No. D-1539 of 2022  
*(Mehfooz-ur-Rehman v Government of Sindh & others)*

Date	Order with signature of Judge(s)
	Before:- Mr. Justice Muhammad Karim Khan Agha Mr. Justice Adnan-ul-Karim Memon

**Date of hearing and order 26.08.2025**

Petitioner present in person  
Mr. Ali Safdar Depar, AAG, along with the law officer, Education  
Department, Government of Sindh  
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**ORDER**

**Adnan-ul-Karim Memon, J:-** This court asked the petitioner to explain the legal basis for challenging the salary stoppage, given that the petitioner's term as a Junior Clerk was found to be fake.

2. The petitioner, who is present in person, submitted that he was appointed on January 28, 2012, and began receiving a salary. On June 18, 2012, he was transferred to GHS Umerabad, where he joined on June 22, 2012. He was transferred back to the DEO (ES&HS) office on August 4, 2015, and joined on August 5, 2015. However, his biometric data was not updated because the office lacked a SEMIS Code/tracking ID at that time. He prayed for direction to the respondents to release his salary.

3. Conversely, the learned Assistant Advocate General has opposed this petition on the ground that the petitioner is not entitled to receive salaries as his appointment was fake. Therefore, he requested to dismiss it.

4. We have been informed that between 2012 and 2025, numerous fraudulent appointments were made in the Mirpurkhas District. In response, the Accountant General of Sindh blocked several fake IDs, including that of the petitioner. An investigation revealed that the petitioner's offer and appointment orders were fraudulent, and his name was not on the merit list. Furthermore, both a letter dated April 22, 2024, and a duty certificate dated April 24, 2024, submitted by the petitioner were found to be fake. The officer whose signature appears on the documents has submitted a statement confirming that they were forged.

5. The pivotal question before us is whether the salary of the petitioner can be withheld without providing an opportunity for a hearing. In our view, he who seeks equity must do equity and approach the Court with clean hands; ill-gotten gains cannot be protected. It is argued by the

learned AAG that the petitioner had obtained his appointments through the back door, thus cannot agitate any grievance on the pretext of denial of due opportunity of hearing to them.

6. Given the conflicting evidence and claims, this court cannot determine the truth of the matter. These are disputed facts that cannot be resolved under our Constitutional Jurisdiction. Petitioner is directed to seek a resolution from a competent authority in terms of the Judgment of the Supreme Court in the case of Government of Punjab through Chief Secretary and others V/S Aamir Junaid and others **2015 SCMR 74**.

7. Based on a Supreme Court ruling, the Secretary of the Education & Literacy Department, Government of Sindh, is directed to form a committee led by him and the Director of Secondary Education concerned. The committee will investigate the alleged fraud and forgery in the appointment, provide the petitioner with a chance to be heard, and hold the responsible officials accountable. A report must be submitted to this court within 90 days.

8. The instant petition stands disposed of as above with no order as to costs.

JUDGE

Head of Constitutional Benches