

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Constitution Petition No.D-687 of 2025

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| Date | Order with signature of Judge |
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Before;
Mr. Justice Arbab Ali Hakro;
Mr. Justice Abdul Hamid Bhurgri.

Petitioner : Ravender Kumar son of Ramesh Kumar,
through Mr. Syed Soofan Shah, Advocate.

Respondents : P.O Sindh and 4 others.
through Mr. Liaquat Ali Shar, Additional
Advocate General Sindh.

Date of Hearing : ***15.10.2025.***
Date of Order : ***15.10.2025.***

ORDER

Abdul Hamid Bhurgri, J.- Through this petition, the petitioner seeks direction to the official respondents to issue an appointment order in his favour for the post of Junior Elementary School Teacher (JEST) on merit as well as on 5% reserved quota of minority in pursuance of notification dated 24.02.2021.

2. The petitioner submitted that the respondents had invited applications through a public advertisement for the posts of Junior Elementary School Teacher (JEST) (BPS-14) and Primary School Teacher (PST) (BPS-14) in the School Education and Literacy Department, Government of Sindh. Being eligible, the petitioner applied for the post of JEST and was issued an admit slip by the SIBA Testing Services (STS) on behalf of respondent No.5. He appeared in the test conducted on 16.09.2021 and secured 45 marks, surpassing the qualifying threshold of 40 marks, and was declared successful. The petitioner claims that he was called for document verification, which he complied with. However, despite meeting the merit and codal requirements, he was not issued an offer letter before the departmental deadline of 30.06.2025. The petitioner, belonging to the Hindu minority community, argued that he was entitled to consideration under the 5% minority quota as per the policy of the Government of Sindh approved by the Provincial Cabinet through a Notification dated 24.02.2021. He states that the District Selection Committee had recommended his appointment under the said quota, yet no offer letter was issued despite repeated approaches to respondents No.2 and No.3. The petitioner further contended that candidates with lower marks were appointed, while he was ignored without any lawful justification, amounting to a violation of his right to

equal treatment, livelihood, and fair opportunity. He invoked the doctrine of legitimate expectation and argued that a successful candidate listed on merit has a right to be considered for appointment, and arbitrary denial is unconstitutional. Having no alternative, he filed this petition seeking directions for issuance of his appointment order.

3. In response, the official respondents submitted that the petitioner had applied for the post of JEST in Taluka Nasirabad, where only one seat was allocated under the 5% minority quota. This seat was awarded to Raj Kumar, who had secured 51 marks, whereas the petitioner had obtained 45 marks. The merit list and available seat list were annexed to substantiate their claim. The respondents maintained that the petitioner did not qualify as per the merit policy and, therefore, was not issued the appointment order.

4. Learned counsel for the petitioner reiterated his client's eligibility and claimed the denial of appointment was illegal and unjust. Conversely, the learned Assistant Advocate General submitted that only one minority seat was available in the petitioner's selected Taluka and the higher scoring candidate was rightly appointed. Thus, the respondents acted strictly in accordance with the law and prevailing policy, warranting no interference by this Court.

5. We have heard the arguments and reviewed the record. It is established that the petitioner applied for the post of JEST from Taluka Nasirabad under the minority quota and secured 45 marks. The respondents have placed on record the merit list and seat allocation details, showing that only one seat was reserved for minorities in said Taluka, which was duly awarded to Raj Kumar, who had higher marks (51). The respondents acted in accordance with the applicable rules and policy.

6. In light of the above, the petitioner has failed to establish any legal entitlement to appointment, as he did not qualify in the merit for the available quota seat. The petition, therefore, lacks merit and is hereby **dismissed**, along with all pending applications.

JUDGE

JUDGE