

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

**CP No.D-1942 of 2025
(Sheeraz v Province of Sindh & others)**

DATE	ORDER WITH SIGNATURE OF JUDGE
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Before:-
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Zulfiqar Ali Sangi

Date of hearing and order:- 25.02.2026

Mr. Sarfraz Ali Metlo, Advocate for Petitioner.
Mr. Raj Ali Wahid Kunwar, Advocate for respondents Nos 2 and 3.
Mr. Abdul Jalil, A.A.G.

ORDER

Adnan-ul-Karim Memon , J At the initial stage, learned Counsel for the Petitioners submitted that the process conducted by the Sindh Public Service Commission (SPSC) for the posts of Assistant Engineer (Civil) BPS-17 in Works & Services Department, Education Works, School Education & Literacy Department, and Assistant Executive Engineer (Civil) BPS-17 in Local Government Department was illegal, discriminatory, and conducted with mala fide intentions. Relying on the judgment of the Hon'ble Supreme Court of Pakistan in CCE-2013, learned counsel highlighted similar irregularities, including undue delays in declaration of results, disproportionate interview marks, and lack of transparency in the interview evaluation. He added that in the present case, the written test was conducted on 21-02-2023, results were issued on 11-06-2024, and the final merit list after interviews on 18-02-2025, reflecting an excessive delay of over 1.5 years. Moreover, candidates with lower written scores were awarded disproportionately high interview marks, while those with higher written marks, including the petitioner, were unfairly disadvantaged. It is submitted that SPSC has consistently exhibited unfair practices in past recruitments (CCE-2013, CCE-2018, CCE-2020), undermining its credibility. The petitioners asserted that these actions violated their fundamental rights, and the Court may exercise its jurisdiction to suspend the impugned merit lists, restrain appointments, and direct re-conduction of interviews with proper recording and assessment. He prayed to allow the petition.

2. Learned Counsel for Respondents No.2 and 3 submitted that the petition is not maintainable as the petitioners had an alternative remedy under Regulation 161 of the Sindh Public Service Commission (Recruitment, Management,

Regulations 2023), which he did not invoke. He emphasized that interviews are inherently subjective tests, and courts cannot substitute their judgment for that of the interview board, citing *Muhammad Ashraf Sangri vs Federation of Pakistan* (2014 SCMR 157) and other precedents. It is further submitted that the writ jurisdiction under Article 199 cannot be invoked when an alternative statutory remedy exists, and the petitioners' claims could have been addressed through representation and appeal to the Chairperson and Appellate Committee of SPSC. The respondents counsel argued that the petitioner is not entitled to equitable relief, relying on *Rehmatullah v. Saleh Khan and Muhammad Haroon v. Province of Sindh*, emphasizing that extraordinary jurisdiction may not be misused to challenge subjective evaluations or delay the administrative process unnecessarily. In light of these submissions, respondents counsel sought dismissal of the petition.

3. In view of the submissions made by learned Counsel for the Petitioners and Respondents, the Court observes that while the petition raises concerns regarding alleged irregularities and delays in the SPSC recruitment process, the petitioners has an alternative and efficacious statutory remedy available under Regulation 161 of the Sindh Public Service Commission (Recruitment, Management, Regulations 2023), which he has not invoked.

4. At the same time, the petitioners has sought that his memorandum of petition be treated as a representation under Regulation 161, and the competent authority/Chairman of SPSC be directed to decide the matter within a period of fourteen (14) days. This request seems to be reasonable.

5. The Court finds this approach to be both appropriate and in accordance with the law, ensuring that the petitioners' grievances are addressed through the statutory mechanism without undermining the subjectivity and discretion of the interview process.

6. Accordingly, the petition is disposed of with the direction that the memo of petition shall be treated as a Representation under Regulation 161, and the Chairman, Sindh Public Service Commission or Appellate committee shall decide the same strictly in accordance with law within fourteen (14) days. A copy of this Order along with memo of petition shall be forwarded and communicated to the Chairman, SPSC, for compliance.

JUDGE

JUDGE