

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP. No.D- 2891 of 2024

Date	Order with signature of Judge
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Priority.

1. For orders on CMA No. 25987/2025.
2. For orders on CMA No. 21914 of 2024.
3. For hearing on CMA. No. 13061 of 2024.
4. For hearing of main case.

20th April 2026

Mr. Ali Asadullah Bhullo, Advocate for Petitioner.
Mr. Pervaiz Qadir Memon, Advocate for Respondent No.4.
Mr. Abdul Jaleel Zubedi, AAG.

Petitioner Sajjad Ali filed this constitutional petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking a declaration that the failure of Respondents No. 2 and 4 to regularize his service is illegal and unconstitutional. He further sought directions for regularization with all consequential benefits and protection against any adverse action.

The practitioner's counsel submitted that they were appointed in 2015 on a contractual basis against sanctioned posts of Deputy Director (Planning) and Associate Engineer (Civil) after due process, and have continuously served for about a decade with satisfactory performance. Despite repeated extensions and their long service against permanent posts, their services were not regularized. They argued that similarly placed employees were regularized in 2017 and 2021, and that the failure to extend the same benefit to them was discriminatory, arbitrary, and violative of Articles 4, 9, 18 and 25 of the Constitution. The petitioners further asserted that they had submitted multiple representations, including one pursuant to directions of the competent authority, but no decision was taken. They relied on settled principles and judgments of the Hon'ble Supreme Court to contend that long and continuous service against posts of a permanent nature creates a legitimate expectation of regularization.

Conversely, the learned AAG assisted by the respondent department's counsel raised preliminary objections regarding maintainability, asserting that petitioner No.1 had tendered his resignation on 28.12.2023 and failed to appear for a personal hearing, and that his contract subsequently expired on 30.06.2024, whereas petitioner No.2's contract was extended. It was further contended that the petitioners had not approached the Court with clean hands and had suppressed material facts. The respondents clarified that the petitioners were initially appointed in March 2015 and their contracts were subject to yearly renewal, liable to termination under the terms of appointment. It was submitted that upon expiry of earlier contracts, fresh recruitment was directed by the

competent authority and carried out in 2022 strictly on merit through advertisement and due process, whereafter the petitioners were reappointed on contract. The respondents also alleged misconduct on the part of petitioner No.1, stating that during his contractual tenure he remained absent from duties and was found engaged with a private consulting firm, thereby violating service discipline. It was maintained that no vested right for regularization exists in favour of the petitioners and that all actions taken were lawful, transparent, and in accordance with policy and governing rules. Accordingly, dismissal of the petition was sought.

During proceedings, this Court, vide order dated 19.11.2025, struck off the name of petitioner No. 2. however, the case of petitioner No. 1 was directed to be reconsidered by the respondent department, as he had already submitted a representation for regularization.

The competent authority of the respondent is directed to decide the pending representation, or any fresh one, within three weeks in accordance with law.

Accordingly, with the consent of the parties and without touching the merits of the case, the petition is disposed of along with any pending applications.

JUDGE

JUDGE

SAJID