

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

Constitutional Petition No. D-1101 of 2025  
(*Rizwan & others versus Province of Sindh & others*)

Before:  
Mr. Justice Muhammad Karim Khan Agha  
Mr. Justice Adnan-ul-Karim Memon

**Date of hearing and order:- 30.10.2025**

Mr. Ali Asadullah Bullo advocate for the petitioners  
Ms. Saima Imdad, Assistant Advocate General

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At the very outset, this Court directed the counsel for the petitioners to satisfy it regarding the maintainability of this petition in light of the Supreme Court's order dated 28.03.2019, passed in C.P. Nos. 583-K to 587-K of 2017, whereby their petitions before the Supreme Court had already been dismissed. An excerpt of the same is reproduced as under:-

**ORDER**

*“We have heard the learned counsel for the parties and have also gone through the record of the case.*

2. *The petitioners claim that pursuant to the advertisement published in newspapers, they had applied for the posts of Municipal Officer/Chief Officer BS-17 and Town Officer/Chief Officer BS-16 in Sindh Councils Unified Grade (Administration Branch) and after complying with the codal formalities, they were appointed in August 2013 for a probationary period of two years. Upon such appointment, they gave joining report, and posting orders were also given to them. It is further alleged that petitioners were nominated for Carrier Advancement Training at Civil Services at the Local Government Academy, Tando Jam. The Secretary Local Government Board issued two orders dated 10.10.2016 by which the petitioners were relieved from their services and such orders of their relieving from service apparently was passed pursuant to the orders passed by the Sindh High Court, Bench at Sukkur in C.P. No.D-293 of 2013 (Nadeem Akbar V/S Province of Sindh & others) where the respondents have taken a plea that the names of the petitioner are not included in the list of selected candidates for appointment in Sindh Council Unified Grade Service (Admin Branch). The said petition was dismissed vide order dated 31.07.2013. Again, in Constitution Petition No.D-1034 of 2013 (Sarfaraz Ali Pahnwar V/S Province of Sindh & others, list of selected candidates was placed before the High Court, in which, too, the names of petitioners were not mentioned as selected candidates. In Constitution Petition No.D-1930 of 2016, the High Court passed the order dated 25.10.2016 for taking action against the persons who have acted in violation of the rules in making of appointment, as the case of the respondent in the said petition was that the letters of appointment of petitioners are bogus and forged and were made much after the recruitment process was over. The salaries of petitioners were paid. Petitioners challenged the order dated 10.10.2016, by which they were relieved from the*

service by filing Constitution Petition in the High Court of Sindh at Karachi, which came to be decided vide impugned judgment dated 27.09.2017 dismissing the Constitution Petitions. The petitioners have now approached this Court by filing Civil Petition for Leave to Appeal against the said impugned judgment of High Court of Sindh.

3. Learned ASC for the petitioners has contended that if there was any illegality in the appointment of petitioners, the petitioners cannot be made responsible for the same, in that the action ought to be taken against the respondents. He further contended that high powered committee be constituted to scrutinize the cases of petitioners and thereafter, on obtaining report of high powered committee, these petitions be decided. Learned ASC next contended that the petitioners have worked for four years and have been paid salaries, and thus they could not have been relieved from the service without adopting process of law.

4. Learned Additional Advocate General Sindh, on the other hand, has opposed the submissions made by learned ASC for the petitioners and has contended that petitioners were not appointed pursuant to the advertisement; rather, they got fake and forged appointment letters. He further contended that no salaries were paid to the petitioners for that there was no budget allocated for them and that High Court has dealt with the matter elaborately, which requires no further enquiry or scrutiny.

5. It is not disputed by the learned ASC for the petitioners that in two lists of selected candidates, filed by the respondent in Constitution Petition No.D-293 and 1034 of 2013, the names of petitioners were not included meaning that the petitioners had not participated in the process of appointment rather when the process of appointment had come to an end, they managed to obtain their appointment letters, which apparently were fake and forged. Learned ASC for the petitioners has referred to the appointment letter at page 55 of the record. This letter is dated 30.11.2012, addressed to one Rizwan, the petitioner in C.P. No.583-K/2017, showing that he has been appointed in BS-17 of SCUG Services (Admin Branch). This letter seems to be signed by the Secretary, Sindh Local Government Board. Learned Additional Advocate General Sindh has contended that secretary has no authority or power to make appointment as such appointment could have only made by the Board and there is nothing on the record that board has made the appointment of petitioners. Confronted with this situation. Learned ASC for the petitioners conceded that there is no order of the board on record showing that petitioners were selected by it for appointment.

6. As regards the submission of learned ASC that salaries have been paid to the petitioners, the petitioners in para xii of memo of petitions under the heading of facts have alleged as follows:

xii. That since the appointment and posting the petitioner is getting his salary without any gap in the salary.

7. Annexure (I) which has been relied upon and called to be the salary bill is actually a letter dated 05.05.2014 purported to have been written by the Town Officer, Town Committee Khanpur to the Manager Sindh Bank Khanpur

*for opening salary account for Town Municipal Administration staff namely Mr. Rizwan. Besides this document, no other document has been filed by the petitioners either before the High Court or before this Court to establish the fact that they did received salary from the respondent. Neither salary bill nor payment slip nor the statement of bank account of petitioners showing deposit of salary I their accounts have been filed before the Court which could have given some strength to the arguments of learned ASC for the petitioners. Petitioners having not placed such documents on the record, its obvious inference would be that no salary was paid to the petitioners.*

8. *As regards the submission of learned ASC for the petitioners for constitution of high powered committee to scrutinize the process of appointment of the petitioners, we find no reason for undertaking this exercise for the matter is dealt with by the High Court in the impugned judgment elaborately with all relevant material, which he petitioners have laced before the court and upon which they were non-suited. Before us also nothing was shown from the record on the basis of which this Court can opine that matter of appointment of petitioners requires scrutiny by high high-powered committee. Having dealt with all the arguments as advanced by the learned counsel, we find no merits in these petitions, which are dismissed and leave refused.”*

To come up on **6.11.2025** for the aforesaid purpose.

HEAD OF CONST. BENCHES

JUDGE