

# HIGH COURT OF SINDH CIRCUIT COURT, HYDERABAD

**C.P No.D-503 of 2025**

[Muhammad Arab Thaheem and Others vs. Province of Sindh and Others]

**BEFORE:**

JUSTICE ADNAN-UL-KARIM MEMON

JUSTICE RIAZAT ALI SAHAR

Mr. Hameedullah Dahri, advocate for petitioner(s)

Mr. Rafique Ahmed Dahri Assistant A.G Sindh a/w Administrator Zakat (Noor Ahmed Chachar) and District Zakat Officer Dadu (Zamir Aijaz)

Date of hearing & decision: 20.11.2025

## **ORDER**

**ADNAN-UL-KARIM MEMON J.-** Through this petition, the petitioners seek regularization of their services with effect from the date of their initial appointment.

2. Learned counsel for the petitioners contended that under the Zakat and Ushr Ordinance, 1980, a system for the collection and disbursement of Zakat and Ushr was established, and following the enactment of the 18th Amendment, the subject was devolved to the provinces. The petitioners were appointed as Zakat Clerks (Amleen-e-Zakat) in 2010 with the approval of the competent authority. The posts against which the petitioners were appointed are permanent in nature, and they have been performing their duties continuously without any interruption or complaint. In 2013, the Government of Sindh enacted the Sindh (Regularization of Adhoc and Contract Employees) Act, 2013, and Section 3 of the said Act is directly applicable to the petitioners' case. Despite the passage of considerable time, the petitioners have not yet been regularized. In a similar matter, C.P. No. D-1155 of 2023, a Division Bench of this Court at Karachi, by judgment dated 01.10.2024, directed the respondents to regularize the services of the petitioners therein. The present petitioners' case is, in fact, stronger than the aforementioned case. Additionally, vide order dated 27.03.2024, the respondents have regularized the services of similarly placed employees, and therefore, the petitioners are entitled to be regularized from the date of their initial appointment and payment of salaries from June 2024.

3. Learned AAG Sindh, however, submitted that the petitioners are daily wage employees and are being paid from Zakat collections; hence, they are not entitled to claim regularization of their services, and the petition is not maintainable and should be dismissed.

4. Having heard the arguments and examined the record, this Court notes that the petitioners have been performing their duties as Zakat Clerks (Amleen-e-Zakat) continuously since their appointment in 2010. The posts are permanent in nature, and there has been no interruption or adverse report regarding their service. Section 3 of the Sindh (Regularization of Adhoc and Contract Employees) Act, 2013 is directly applicable to the petitioners, and in the case of C.P. No. D-1155 of 2023, a Division Bench of this Court directed the respondents to regularize the services of similarly placed employees. Furthermore, vide order dated 27.03.2024, the respondents have already regularized the services of employees in comparable circumstances.

5. In view of the above, the petitioners' case is even stronger than the case referred to above. Therefore, in line with the decision in C.P. No. D-1155 of 2023, the respondents are directed to regularize the services of the petitioners accordingly and release their outstanding salaries forthwith.

6. The petition is thus allowed accordingly.

JUDGE

JUDGE

Sajjad Ali Jessar