

HIGH COURT OF SINDH CIRCUIT COURT, MIRPURKHAS

C.P No.D-1325 of 2024

[Muhammad Yousuf vs. Province of Sindh and Others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE RIAZAT ALI SAHAR

Mr. Qalander Bux Laghari, advocate for petitioner(s)

Mr. Muhammad Sharif Solangi, Assistant A.G. Sindh a/w AEO
(Mirza Afaq Baig) and Focal Person (Sajid Ali),

Date of hearing & decision: 19.11.2025

ADNAN-UL-KARIM MEMON J.- The petitioner through this Constitutional Petition prays that this Court may be pleased to direct the respondents to release all monthly salaries from September 2015 onward and to continue payment of monthly salary.

2. The case of the Petitioner is that in the year 2008, he was offered appointment as Primary School Teacher (PST) BPS-09, vide Letter No. EDO/EDU/Admn-III/Offer/299/2008 dated 06-08-2008. After completion of the verification process and medical examination, he was appointed as PST vide Letter No. EDO/EDU/A-II(APPTT/-262/2008-09 Mirpurkhas dated 13.08.2008. The petitioner was posted at Government Primary School Mehraj Nandi Ram Taluka Mirpurkhas, and joined on 15.08.2008. The petitioner received regular salary from the date of posting until August 2015; however, salaries were stopped in September 2015 without any explanation. The petitioner approached the respondents regarding non-payment of salary, and although assurances were given, salaries have not been released till-date. In 2016, the respondents began biometric verification of employees, which continues to-date. Despite non-payment of salaries, the petitioner has continuously performed duties assigned. During this period, the petitioner was assigned various official duties and trainings, for which remuneration was received. In 2018, the petitioner served as Polling Officer in General Elections, and participated in ECCE training in 2019, for which a cheque of Rs.2500/- was received. Respondents have periodically visited the school for biometric verification of the petitioner. In 2023, the petitioner was assigned census duties and received duty certificate from the Head Master. The petitioner has continuously performed duties at the school and is entitled to salaries; however, the

respondents have not released salary since September 2015. The petitioner has no alternate, adequate or efficacious remedy except to file the instant petition.

3. Learned A.A.G submitted that Investigation and verification by the Directorate revealed that the petitioner was not a genuine appointee and had managed appointment documents fraudulently. The Offer Letter No. EDO/EDU/Admin-11/299/2008 dated 06.08.2008 and Posting Order No. EDO/EDU/A-II/APPTT/262/2008-09 Mirpurkhas dated 13.08.2008 bear fictitious signatures of the Executive District Officer Education Mirpurkhas. The petitioner's medical certificate was also obtained using falsified documents, confirmed as fake by the Medical Superintendent/ Surgeon Mirpurkhas Civil Hospital (Letter No. CMH/MPS/6231 dated 19.10.2024). The petitioner joined the school on bogus documents, facilitated by his father, who was Head Master at the time. Genuine appointees of the 2008 batch received salaries starting May 2009, while the petitioner's salary was irregularly started in September 2013. The petitioner was identified as bogus employee in 2015, and a Show Cause Notice was issued (Letter No. DSE/Estt./Pry/537/2015-16 dated 14-09-2015), followed by instructions to stop salary payments (Letter No. DSE/Estt./Pry/601/2015-16 dated 14-09-2015). NAB Court No.6 declared the petitioner as bogus employee in Reference No. 21/2016. Dismissal from service was issued via Letter No. DSE/Estt./Pry/2299/2015-16 dated 13.04.2016, and the petitioner's ID was blocked. Any alleged performance of duties or biometric verification post-dismissal is irrelevant, as the petitioner was no longer an employee. The petitioner was never assigned any official duties by the education authorities; any claim of performing duties was without official sanction. He therefore, prayed that the petition be dismissed.

4. After hearing the arguments of both the parties and perusal of the record, it is observed that the petitioner claims entitlement to release of his monthly salaries from September 2015 onward on the ground that he has been performing duties at the Government Primary School Mehraj Nandi Ram, Taluka Mirpurkhas since his alleged appointment in 2008. Learned A.A.G, on behalf of the respondents has submitted that the petitioner's appointment was based on fraudulent and bogus documents, including a falsified Offer Letter, Posting Order and Medical Certificate. It has further been submitted that the petitioner was identified as bogus employee by the Directorate of Schools Education Primary Mirpurkhas, issued a Show

Cause Notice in 2015, dismissed from service in 2016 and declared a bogus appointee by NAB Court No.6 (Reference No. 21/2016). Consequently, the petitioner's ID was blocked, and he was no longer considered an employee of the Education Department.

5. The primary question before this Court relates to the genuineness of the petitioner's appointment documents and his entitlement to salaries. However, the matter of verification of documents and determination of authenticity falls squarely within the competence of the competent administrative authorities. NAB and the Directorate have already investigated the matter, verified the documents and declared the petitioner to be a bogus appointee.

6. In view of the above, this Court cannot enter into re-evaluation of the authenticity of the documents or override the findings of NAB and the competent administrative authorities. The petitioner's claim and counterclaim regarding salary payments and alleged performance of duties after identification as a bogus employee cannot be entertained in this proceeding. Resultantly the instant petition is dismissed.

JUDGE

JUDGE

Karar_Hussain/PS*