

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

C.P.No.D-446 of 2015

DATE

ORDER WITH SIGNATURE OF JUDGE

For hearing of MA-8105 of 2025.

16.12.2025.

None present for petitioner.

Mr. Rafique Ahmed Dahri Assistant Advocate General, Sindh along with Faisal Khaskheli Director Technical Public Health Engg:Department at Chief Engineer Officer Hyderabad and Amjad Ali Halepoto Junior Clerk PHE TM Khan.

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This petition was disposed of vide order dated 18.09.2017 with the following terms:-

"Since, *prima facie*, it is not disputed that the case of the present petitioner squarely falls within four corners of decided question of law hence the petitioner cannot be denied or deprived of same treatment which otherwise was / is demand of the equity. It may be added that it is categorically held in the case reported as 2009 SCMR-1 that:

"Administration of justice-If a Tribunal or the Supreme Court decides a point of law relating to the terms and conditions of a civil servant who litigated, and there were other civil servants, who may not have taken any legal proceedings, in such a case, the dictates of justice and rule of good governance demand that the benefit of the said decision be extended to other civil servants also, who may not be parties to that litigation, instead of compelling them to approach the Tribunal or any other legal forum."

Therefore, following the principles of equity as well administration of justice, the instant petition merits and is allowed accordingly. As a result of petitioner shall be treated as a regular employee on the day when he completed five years as work charge employee, and all benefits including

pension shall be awarded to the petitioner. Office shall communicate this order to all concerned."

Thereafter, notices were issued to the alleged contemnors to submit comments before this Court. Today, the officer(s) present in Court has submitted compliance report with the narration that the petitioner has been treated as regular employee after completion of 05 years of Work Chargd Services from 1991 to 1996 and regularized from 1996 and retired in 2011, the total length of regularized service is 15 years and the petitioner has been paid all the benefits including pension as per admissible government rules.

Learned A.A.G seeks disposal of instant contempt application in terms of the compliance report. Since, the petitioner is not in attendance therefore, this Court is left with no option but to accept the compliance report and disposed of listed application in terms thereof. However, if the petitioner's cause subsists, he may approach this Court for resurrection of the contempt application, which shall be decided as per law.

JUDGE

JUDGE