

THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 1992 of 2025

[Wazir Ahmed Laghari v. Province of Sindh and another]

Before:
Justice Arbab Ali Hakro
Justice Nisar Ahmed Bhanbhro

Petitioner by : Mr. Riaz Ali Shaikh, Advocate

Respondents by : Mr. Saeed Ahmed Wassan, Assistant A.G. Sindh along with Muhammad Azhar Shar, Assistant Mukhtiarkar, Taluka Ubauro

Date of Hearing : **23.09.2026**

Date of Decision : **23.09.2026**

ORDER

ARBAB ALI HAKRO, J. – The petitioner has invoked the constitutional jurisdiction of this Court, seeking his consideration for appointment under the 5% quota reserved for persons with disabilities.

2. The petitioner claims to be a person with disability suffering from Locomotor Disability, and possesses a Disability Assessment Certificate bearing Registration No. SPDPA/D.A.C-11696/2026, filed under statement dated 12.08.2026. He states that he is an educated person and a resident of District Ghotki, and that he approached Respondent No.2 (Deputy Commissioner, District Ghotki @ Mirpur Mathelo) and other officials for appointment against the disability quota. It is further his case that he submitted an application dated 25.09.2025 (bearing endorsement “ADC-II: As per law.”) requesting job provision under the said quota, but was given hollow hopes and subsequently refused appointment.

3. Learned counsel for the petitioner contends that, despite the petitioner’s eligibility and repeated requests, the respondents failed to appoint him against a suitable post under the 5% quota for persons with disabilities. He therefore seeks a direction to the respondents to consider his candidature and appoint him in accordance with law.

4. Learned AAG Sindh, alongside the representative of Respondent No.2, while referring to the para-wise comments filed on behalf of Respondent No.2, submits that in compliance with various orders passed by this Court as well as the Hon'ble Supreme Court of Pakistan, a walk-in interview was conducted by the District Selection Committee on 23.12.2025. It is stated that 123 differently abled persons were recommended and selected for appointment in various departments against 123 available vacant posts (BPS-1 to 4) under the 5% quota as per rules and policy. The petitioner also appeared in the said walk-in interview; however, after considering the eligible candidates, the District Selection Committee did not recommend him for appointment.

5. We have heard the learned counsel for the petitioner, learned AAG Sindh, perused the averments contained in the petition, the documents on record, and the comments submitted on behalf of the respondent.

6. The material on record shows that the petitioner participated in the selection process conducted by the District Selection Committee on 23.12.2025. However, despite appearing for the interview, he was not recommended for appointment against the available vacant posts. The petitioner has not brought on record any material to establish that his candidature was arbitrarily excluded from consideration or that the selection process was conducted in violation of the prescribed rules or procedure.

7. It is an essential requirement for appointment to any government or public post that a candidate must satisfy the prescribed legal and codal requirements and undergo the recruitment process initiated by the competent authority. The mere submission of an application or participation in an interview does not confer an automatic right of appointment upon a candidate. The ultimate selection depends on eligibility, merit and the recommendation of the competent selection authority, subject to available vacancies.

8. The reservation of quota for persons with disabilities is a statutory safeguard intended to ensure their effective representation in government employment. However, such reservation does not dispense with the prescribed recruitment process or confer an unconditional right of appointment upon every person falling within the said category. The benefit of the reserved

quota is required to be given effect through a fair, transparent and lawful selection process.

9. The Sindh Empowerment of Persons with Disabilities Act, 2018, being beneficial legislation, provides for a 5% reservation for persons with disabilities in Government departments, institutions and entities. The said provision is required to be implemented in its true spirit; nevertheless, appointments against the reserved quota remain subject to the prescribed eligibility and selection requirements. Thus, while a person with disability is entitled to consideration against the reserved quota, such consideration does not necessarily result in appointment.

10. In the present case, the respondents have specifically stated that the petitioner appeared for the walk-in interview conducted by the District Selection Committee but was not recommended for appointment. The available record does not disclose any material suggesting that the petitioner was denied consideration or that the District Selection Committee acted arbitrarily or contrary to the prescribed procedure. Mere possession of a disability certificate and submission of an application, therefore, cannot, by themselves, furnish a lawful basis for directing the respondents to appoint the petitioner.

11. In these circumstances, no direction can be issued for the direct appointment of the petitioner. However, the petitioner shall remain at liberty to participate in any subsequent recruitment process conducted by the competent authority under the 5% quota reserved for persons with disabilities. If eligible, his candidature shall be considered in accordance with the law, merit and the prescribed recruitment procedure.

Accordingly, the instant Constitutional Petition is **disposed of** in the above terms.

J U D G E

J U D G E