

THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 533 of 2026

[Muhammad Yaseen v. Province of Sindh and others]

Before:
Justice Arbab Ali Hakro
Justice Nisar Ahmed Bhanbhro

Petitioner by : Mr. Rahmat Ali Shaikh, Advocate

Respondents by : M/s Zulfiqar Ali Naich and Saeed Ahmed Wassan, Assistant A.Gs. Sindh

Date of Hearing : **23.09.2026**

Date of Decision : **23.09.2026**

ORDER

ARBAB ALI HAKRO, J. – Through the instant constitutional petition, the petitioner, Muhammad Yaseen, seeks directions to the respondents to consider his candidature and appoint him against the 5% quota reserved for persons with disabilities in any government department for a suitable post.

2. Learned counsel for the petitioner submits that the petitioner is a differently abled person suffering from muscular dystrophy evaluated to the extent of 60%, as reflected in the Disability Assessment Certificate bearing Registration No. SPDPA/D.A.C-17789/2025 dated 05.11.2025, duly issued by the competent authority. It is submitted that the petitioner is educated, holds a valid domicile of District Naushahro Feroze, and has approached Respondents No.1 and 3 requesting appointment against vacant posts under the 5% disability quota, but no positive outcome has surfaced on record.

3. Learned AAG Sindh, while referring to the detailed para-wise comments submitted today on behalf of Respondent No.3 (Deputy Commissioner, Naushahro Feroze), submits that in compliance with directives of the Hon’ble Supreme Court and this Court, as well as instructions issued by the SGA&CD, Government of Sindh, seven DRC/DSC recruitment exercises have been conducted in District Naushahro Feroze between 2018 and 2025, through which a total of 263 persons with disabilities have been recommended for appointment across various line departments (14 candidates in meetings held on 02, 03 and 05.04.2018; 31 on 22.09.2020; 25 on 24.10.2022; 96 between 06, 07 and 08.04.2023; 01 on

08.04.2023; 74 on 16.10.2024; and 22 in meetings held on 17 and 18.11.2025). Learned AAG points out that during the last recruitment exercise conducted on 17 and 18.11.2025, where 824 candidates appeared before the Committee, the petitioner failed to appear in the selection process, and consequently, his candidature could not be evaluated or recommended on comparative merit.

4. We have heard learned counsel for the petitioner, learned Assistant Advocate General Sindh, perused the material available on record, and considered the detailed comments submitted on behalf of Respondent No.3.

5. The statutory 5% quota under the Sindh Empowerment of Persons with Disabilities Act, 2018 is a mandatory framework intended to ensure inclusive public employment. However, submitting administrative applications or representations directly to departmental authorities does not substitute for participating in a formal competitive recruitment process before the competent District Selection Committee.

6. The record confirms that seven structured recruitment exercises were duly carried out by the District Selection Committee, Naushahro Feroze, culminating in the recommendation of 263 differently abled candidates across line departments. The petitioner failed to appear before the Committee during the selection process held on 17 and 18.11.2025.

7. In view of the above position, no direction for immediate direct appointment can be issued in favour of the petitioner. However, the petitioner shall be at liberty to apply afresh on the strength of his Disability Assessment Certificate dated 05.11.2025 as and when new vacancies under the 5% disability quota are advertised by line departments or designated regional offices in District Naushahro Feroze, subject to fulfilling all prescribed qualification and eligibility criteria under the rules.

8. The instant petition stands **disposed of** in the above terms.

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Abdul Basit