

THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 1264 of 2026

[Umair Hameed Soomro v. Province of Sindh and others]

Before:
Justice Arbab Ali Hakro
Justice Nisar Ahmed Bhanbhro

Petitioner by : Mr. Amjad Ali Gabol, Advocate

Respondents by : Mr. Ghualm Abbas Kubar, Assistant A.G. Sindh

Date of Hearing : **23.09.2026**

Date of Decision : **23.09.2026**

ORDER

ARBAB ALI HAKRO, J. – The petitioner, Umair Hameed, has invoked the constitutional jurisdiction of this Court seeking a direction to the respondents to consider and appoint him to a suitable post against the 5% quota reserved for persons with disabilities in any government department.

2. Learned counsel for the petitioner submits that the petitioner is a differently abled, jobless person, holding a valid Disability Assessment Certificate bearing Registration No. SPDPA/D.A.C-11142/2023 dated 10.08.2023, and is a permanent resident of District Sukkur. It is contended that the petitioner has been approaching the respondents since 2023 for appointment against the disability quota on merit as well as on humanitarian grounds. Learned counsel states that the petitioner appeared in walk-in interviews conducted in the years 2023 and 2025 pursuant to call letters issued by the respondents; however, he was not considered for appointment. It is alleged in the petition that offer letters and appointment orders were issued at the behest of ruling party members, bypassing deserving candidates. Learned counsel has also placed on record a copy of the petitioner’s application dated 19.08.2026 addressed to Respondent No.4 (Deputy Commissioner, Sukkur).

3. Learned AAG Sindh, while referring to the comments submitted today on behalf of Respondent No.4 (Deputy Commissioner, Sukkur), forcefully rebuts the allegations of political influence and favoritism. He submits that the selection process was conducted strictly in accordance with law and rules. It

is stated that in three meetings of the District Selection Committee (DSC) held since 2022, 100 differently abled persons were recommended for appointment in BPS-1 to BPS-4 across various line departments in Sukkur. In the latest recruitment exercise conducted from 6th to 8th January 2026, 20 candidates were recommended for appointment. Learned AAG points out that the petitioner appeared for the interview during the said January 2026 selection process, but upon comparative assessment on merit, he was not recommended for appointment by the District Selection Committee.

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

5. The statutory 5% quota for persons with disabilities under the Sindh Empowerment of Persons with Disabilities Act, 2018 is a mandatory provision intended to ensure equitable representation in public service. However, the existence of a statutory quota or possession of a valid disability certificate does not create an absolute or automatic entitlement to appointment without securing a merit-based recommendation from the competent District Selection Committee through a competitive recruitment process.

6. The record confirms that the petitioner was given full opportunity to participate in the selection process conducted by the District Selection Committee, Sukkur, in January 2026. However, upon evaluation among competing candidates, he was not recommended on merit by the selection committee. Beyond bald assertions, no concrete material has been placed on record to substantiate the allegation that the selection process was tainted by political interference or mala fides.

7. In view of the above, no direction for immediate appointment can be issued in favour of the petitioner. However, the petitioner shall be at liberty to apply afresh as and when new vacancies under the 5% disability quota are advertised by the line departments, subject to fulfilling all prescribed qualification and eligibility criteria under the rules.

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

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Abdul Basit