

ORDER SHEET

THE HIGH COURT OF SINDH, BENCH AT SUKKUR

C. P. No. D - 126 of 2026

[Abdul Majid Solangi v. Province of Sindh & others]

Present:

Mr. Justice Adnan Iqbal Chaudhry

Mr. Justice Muhammad Hasan (Akber)

For Petitioner : Mr. Rafique Ali Kalhoru, Advocate

For Respondents : Mr. Ali Raza Baloch, Additional Advocate General Sindh along with Barkat Ali khowaja, Chief Engineer (Dev.), PHE Department, Sukkur and Riaz Ahmed Phulpoto, Executive Engineer (Dev.), PHE Division-I, Khairpur

Date of hearing : 14.10.2026

Date of decision : 14.10.2026

ORDER

Adnan Iqbal Chaudhry J.- The petitioner is working on contract with the Public Health Engineering Division, Khairpur. He prays for a writ for regularization of service.

2. The petitioner was hired on daily wages by the Public Health Engineering Division, Khairpur as Operator for a Drainage Scheme. The employment was given in consideration for land (2424 square feet) donated by the petitioner for a public development project. Nevertheless, Office Order dated 22.10.2020 issued for his appointment categorically stated that his services were temporary for 89 days *albeit* such tenure was extended from time to time.

3. It is by now settled law that in the absence of a statute or Government policy requiring or enabling the employer to regularize a contract employee, no writ can issue to do so under Article 199(1)(a) of the Constitution of Pakistan. The binding precedents of the Supreme Court holding so, have already been discussed by the Full Bench of this Court in *Muhammad Arif v. Federation of Pakistan*, 2025 PLC (C.S) 93 as follows:

“26. It is settled law that for a writ to issue under Article 199(1)(a) of the Constitution the petitioner has to establish that he is guaranteed a fundamental or legal right, as the object of the Article is the enforcement of a legal right and not the establishment of a legal right. The precedents binding us categorically hold that in the absence of a specific provision in the contract, or a law providing for regularization, contract employees do not have a vested right for regular appointment solely for long and satisfactory contractual service; and that, while exercising jurisdiction under Article 199 of the Constitution the High Court cannot extend the scope of a contract or alter the terms and conditions of employment in favour of the employee. These are pronouncements of the Supreme Court in *Muzaffar Khan v. Government of Pakistan* (2013 SCMR 304); *Government of Khyber Pakhtunkhwa, Workers Welfare Board v. Raheel Ali Gohar* (2020 SCMR 2068); *Owais Shams Durrani v. Vice-Chancellor Bacha Khan University* (2020 SCMR 1041); *Sui Southern Gas Company Ltd. v. Zeeshan Usmani* (2021 SCMR 609); *Government of Khyber Pakhtunkhwa v. Saeed ul Hasan* (2021 SCMR 1376); *Khushal Khan Khattak University v. Jabran Ali Khan* (2021 SCMR 977); *Pakistan Telecommunication Company Ltd. v. Muhammad Samiullah* (2021 SCMR 998); *Government of Khyber Pakhtunkhwa v. Sher Aman* (2022 SCMR 406); *Deputy Director Finance & Administration FATA v. Dr. Lal Marjan* (2022 SCMR 566); and *Vice Chancellor Agricultural University, Peshawar v. Muhammad Shafiq*. The ratio decidendi of these precedents is that absent a statutory basis for regularization, an employee has no fundamental or vested right to regularization.”

4. There is no statute or Government policy applicable to the Respondents requiring or enabling them to regularize the Petitioner. Therefore, no writ can issue to do so under Article 199(1)(a) of the Constitution. The petition is **dismissed** as not maintainable.

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