

HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Before:

Justice Arbab Ali Hakro

Justice Muhammad Jaffer Raza

C.P No.D-278 of 2026

[Sanaullah and 15 others v. Province of Sindh 04 others]

Petitioners by : Mr. Muhammad Meean Bajeer, Advocate

Respondents by : Mr. Ghulamullah Memon, Additional A.G Sindh a/w Shahid Mustafa, Mukhtiarkar Mithi and D.E.O (ES&HS), Tharparkar @ Mithi.

Dates of Hearing : **05.05.2026**

Date of Decision : **19.05.2026**

ORDER

ARBAB ALI HAKRO J:- The petitioners, invoke the constitutional jurisdiction of this Court under Article 199 of the Constitution, asserting that they had duly participated in the recruitment process for non-technical posts (BPS- 01 to BPS- 04) in the School Education and Literacy Department, District Tharparkar, pursuant to advertisements dated 03.09.2021 and 04.09.2021. They aver that the District Selection Committee convened on 07.08.2023 and recommended their names for appointment, whereafter the Provincial Cabinet, in its meeting dated 01.12.2025, resolved to lift the recruitment ban and directed issuance of offer letters to all recommended candidates. The petitioners contend that despite such recommendations and Cabinet directions, the respondents have withheld issuance of offer letters and, instead, have allegedly issued appointment orders to persons not included in the DSC list, thereby violating merit, fairness, and the binding directions of this Court in earlier petitions including C.P. No.D-975 of 2025.

2. The respondents, through their parawise comments, have categorically disputed the authenticity of the recommendation list relied upon by the petitioners. It is asserted that the petitioners were not recommended by the

DSC and that the list produced before the Court needs authentication as to who issued the same. It is further stated that the respondents have already complied with the judgment dated 18.02.2026 in C.P. No. D- 975 of 2025 by issuing offer letters only to those candidates whose recommendations were duly verified from the official record. The respondents deny any cancellation of the earlier recruitment process and contend that no malafide or political influence has been exercised.

3. Heard and perused the record.

4. The central controversy does not revolve merely around non-issuance of offer letters; rather, it concerns a foundational factual dispute: whether the petitioners were ever recommended by the District Selection Committee in the first place. The petitioners rely upon a list whose provenance is disputed. The respondents deny its issuance and assert that the petitioners' names do not appear in the verified DSC recommendations. This Court cannot, within the limited constitutional jurisdiction, undertake a factual inquiry into the authenticity of documents, nor can it determine whether manipulation, interpolation or fabrication has occurred at the hands of either party or any official.

5. The judgment dated 18.02.2026 in C.P. No. D- 975 of 2025 directed issuance of offer letters only to those candidates for whom a complete and verified record exists. The present petitioners' entitlement hinges entirely upon whether their names were genuinely recommended by the DSC. As the respondents dispute the authenticity of the list and deny issuance of any offer letters to the petitioners, the matter cannot be adjudicated without a proper factual determination, which falls outside the scope of Article 199. The allegations raised by both sides manipulation of lists, fabrication of documents and selective issuance of offer letters require a neutral, administrative and fact finding inquiry by the competent authority.

6. In these circumstances and in order to safeguard the integrity of the recruitment process, to ensure transparency and to protect the rights of all

eligible candidates, it becomes imperative that the matter be placed before the higher administrative authorities for a comprehensive inquiry. Such inquiry must ascertain: whether the DSC list relied upon by the petitioners is genuine; whether any manipulation or interpolation has occurred; whether any official has issued offer letters contrary to record; and whether any candidate has been unlawfully favoured or excluded. This Court, therefore, refrains from issuing any direction for appointment or cancellation of appointments at this stage, as doing so without verification of foundational facts would amount to adjudicating disputed questions of fact, which is impermissible in constitutional jurisdiction.

7. In view of the disputed factual substratum and the serious allegations of manipulation, fabrication and administrative impropriety raised by both sides, this petition is **disposed of** with the direction that the Chief Secretary, Government of Sindh, shall constitute a high-level inquiry committee, headed by a senior officer not below BPS-20 of the Services, General Administration & Coordination Department, to examine the entire recruitment process for non-technical posts (BPS-01 to BPS-04) in the Education Department, District Tharparkar. The committee shall scrutinize the DSC minutes dated 07.08.2023, the recommendation lists, outward registers and all related documents and shall determine whether the petitioners were duly recommended, whether any manipulation or fabrication occurred and whether any officer or candidate acted in violation of law. The inquiry shall be completed within sixty days and appropriate action shall thereafter be taken strictly in accordance with law. The petitioners shall be at liberty to place their entire material before the inquiry committee.

With these directions, the petition stands **disposed of**.

JUDGE

JUDGE

Faisal