

HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Before:

Justice Arbab Ali Hakro

Justice Muhammad Jaffer Raza

C.P No.D-280 of 2026

[Ali Muhammad and 39 others v. Province of Sindh and 04 others]

Petitioners by : Mir Shahzad Ahmed Talpur, Advocate

Respondents by : Mr. Ghulamullah Memon, Additional A.G Sindh a/w Shahid Mustafa, Mukhtiarkar Mithi and Dr. Lekhraj, D.H.O, Tharparkar @ Mithi

Dates of Hearing : **05.05.2026**

Date of Decision : **19.05.2026**

ORDER

ARBAB ALI HAKRO J:- The petitioners have invoked the constitutional jurisdiction of this Court under Article 199 of the Constitution, asserting that they were duly interviewed by the District Selection Committee for non- technical posts in BPS-01 to BPS-04 in the Health Department, District Tharparkar and were thereafter issued offer letters dated 08.08.2023. It is their case that the subsequent imposition of a ban by the Principal Seat in Suit No. 1564 of 2023 did not extinguish their vested rights, and that the respondents, instead of honouring the earlier process, have now commenced issuance of fresh offer letters to politically- favoured candidates, thereby depriving the petitioners of their legitimate expectation of appointment.

2. The factual matrix emerging from the pleadings reveals that the petitioners rely upon offer letters allegedly issued by the District Selection Committee prior to the ban. They contend that such letters were the culmination of a valid recruitment process and that the respondents are estopped from disowning them. The petitioners further assert that the respondents have acted with manifest arbitrariness by denying the authenticity of the offer letters while simultaneously issuing fresh offers to others.

3. The respondents, on the other hand in their comments have categorically disputed the genuineness of the offer letters produced by the petitioners. It is asserted that the outward numbers mentioned therein do not correspond with the official dispatch register, that the minutes of the DSC were issued under outward No.12315 and that it is inconceivable that offer letters could have been issued prior to the issuance of the DSC minutes. The respondents further maintain that compliance has already been effected in earlier petitions decided on 18.02.2026 and that the petitioners were neither selected nor recommended in the DSC proceedings.

4. Heard and perused the record.

5. The record placed before us is not only contradictory but raises serious doubts regarding the integrity of the recruitment process itself. The petitioners rely upon documents whose authenticity is vehemently denied by the respondents. The respondents rely upon official registers and DSC lists whose completeness and veracity are questioned by the petitioners. The controversy is thus deeply embedded in disputed factual substratum which cannot be adjudicated conclusively in the exercise of constitutional jurisdiction without a proper forensic and administrative examination. This Court cannot, in the absence of verified and uncontested material, declare the petitioners' documents genuine nor can it accept the respondents' assertions as conclusive. The allegations of manipulation, fabrication, tampering with outward registers, issuance of parallel offer letters and selective implementation of DSC recommendations are grave and strike at the heart of administrative probity. Such matters require a structured inquiry by a competent authority equipped to examine original registers, DSC minutes, issuance logs, and all ancillary documentation.

6. In these circumstances, and in order to safeguard the transparency of public recruitment, to protect the rights of all candidates and to ensure that no illegality is perpetuated under the cloak of administrative discretion, it is imperative that the entire process be subjected to an independent scrutiny.

7. Accordingly, 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 Health 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