

# HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

**Before:**

**Justice Arbab Ali Hakro**

**Justice Muhammad Jaffer Raza**

**C.P No.D-330 of 2026**

[Shahnawaz and 39 others v. Province of Sindh and 06 others]

Petitioners by : Mr. Sikandar Sardar Siddique, Advocate

Respondents by : Mr. Ghulamullah Memon, Additional A.G Sindh.

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, asserting that they were duly recommended by the District Recruitment Committee (DRC) in its meeting dated 07.08.2023 for various 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. They allege that despite the issuance of such offer letters, the respondents have withheld further processing, declined medical examination and refrained from issuing appointment orders, while simultaneously entertaining candidates not forming part of the original DRC list.

2. The petitioners place reliance upon the advertisement dated 03.09.2021, the DRC minutes of 07.08.2023 and the offer letters allegedly issued in the presence of respondent No. 07, who is stated to have been a member of the DRC at the relevant time. They further contend that two members of the DRC, namely the Section Officer (SPSD- II) and the District Health Officer, have since passed away, thereby rendering the original record, now stated to be in the custody of respondent No. 06 of decisive evidentiary value.

3. The respondents, on the other hand, dispute the authenticity of the offer letters, question the petitioners' appearance before the DRC and assert that the only valid record is the outward registered list bearing No. DHO/TPR/12315/2023. Respondent No. 06, who is the legal heir of the late District Health Officer, admits possession of certain original documents but states that the record was never formally handed over due to the officer's illness and subsequent demise. The respondents deny any obligation to act upon the documents produced by the petitioners and allege manipulation, fabrication and misuse of official papers.

4. Heard and perused the record.

5. The petitioners rely upon offer letters whose provenance is disputed; the respondents rely upon an outward register whose completeness is questioned; and the original DRC record is admittedly not in the custody of the competent authority but with a private individual, raising serious concerns regarding the integrity of the recruitment process.

6. This Court cannot, in the exercise of its constitutional jurisdiction, undertake a forensic determination of disputed factual controversies involving allegations of fabrication, tampering, irregular issuance of offer letters and conflicting versions of the DRC proceedings. The competing claims cannot be adjudicated without a comprehensive administrative inquiry, examination of the original record, verification of signatures and scrutiny of the DRC proceedings, all of which fall squarely within the domain of the executive.

7. We are of mindful that recruitment to public posts must be transparent, merit based and free from extraneous considerations. Equally, no candidate may be deprived of a lawful right if duly recommended. However, where the very authenticity of the record is in dispute and where allegations of manipulation are levelled by both sides, the matter must be placed before a competent administrative authority for a neutral, structured and evidence based determination.

8. In view of the disputed factual substratum, the conflicting stances taken by the parties and the serious allegations of manipulation, fabrication, suppression of original DRC record and administrative impropriety surrounding the recruitment process for non-technical posts (BPS-01 to BPS-04) in the Health Department, District Tharparkar, this petition is **disposed of** with the direction that the Chief Secretary, Government of Sindh, shall forthwith constitute a high-level inquiry committee headed by an officer not below BPS- 20 of the Services, General Administration & Coordination Department, to examine the entire recruitment exercise, including the authenticity of the DRC minutes dated 07.08.2023, the genuineness of the recommendation lists, the issuance and validity of the offer letters dated 08.08.2023, the custody and integrity of the original record allegedly held by respondent No. 06 and any possible manipulation or fabrication attributable to any officer, candidate or stakeholder; the committee shall complete the inquiry within sixty days, fix responsibility where required and ensure that consequential action is taken strictly in accordance with law, while the petitioners shall remain at liberty to place their entire material before the committee. With these directions, the petition stands **disposed of**.

**JUDGE**

**JUDGE**

\*Faisal\*