

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

*Const. Petition No.D-2142 of 2024.
(Majid Ali vs Province of Sindh and others)*

*Const. Petition No.D-1102 of 2025.
(Azeem and others vs Province of Sindh and others)*

*Const. Petition No.D-1150 of 2025.
(Lutuf Ali Hyderani vs Province of Sindh and others)*

*Const. Petition No.D-1431 of 2025.
(Allah Nawaz Brohi vs Province of Sindh and others)*

*Const. Petition No.D-1614 of 2025.
(Shahnawaz Ansari vs Province of Sindh and others)*

*Const. Petition No.D-1696 of 2025.
(Akhtar Ali vs Province of Sindh and others)*

*Const. Petition No.D-1697 of 2025.
(Wazir Ali vs Province of Sindh and others)*

*Const. Petition No.D-1736 of 2025.
(Muhammad Aslam Shar vs Province of Sindh and others)*

*Const. Petition No.D-1796 of 2025.
(Absar Ali Mirani vs Province of Sindh and others)*

*Const. Petition No.D-2169 of 2025.
(Noman Ahmed Awan vs Province of Sindh and others)*

*Const. Petition No.D-2191 of 2025.
(Anees Ahmed Sawand vs Province of Sindh and others)*

*Const. Petition No.D-2192 of 2025.
(Syed Saqlain Hyder Shah vs Province of Sindh and others)*

*Const. Petition No.D-633 of 2025.
(Shakeel Ahmed Chandio vs Province of Sindh and others)*

*Const. Petition No.D-115 of 2026.
(Sarfaraz Ahmed vs Province of Sindh and others)*

*Const. Petition No.D-212 of 2026.
(Aamir Chohan vs Province of Sindh and others)*

*Const. Petition No.D-343 of 2026.
(Mahesh Kumar vs Province of Sindh and others)*

*Const. Petition No.D-383 of 2026.
(Ghulam Yaseen Lakho vs Province of Sindh and others)*

*Const. Petition No.D-430 of 2026.
(Irshad Ali Kolachi vs Province of Sindh and others)*

*Const. Petition No.D-436 of 2026.
(Ubedullah Channa vs Province of Sindh and others)*

*Const. Petition No.D-452 of 2026.
(Ajiz Ali Kalwar vs Province of Sindh and others)*

*Const. Petition No.D-473 of 2026.
(Mehran Khan vs Province of Sindh and others)*

*Const. Petition No.D-484 of 2026.
(Shah Nawaz Urif Babr and 4 others vs Province of Sindh and others)*

*Const. Petition No.D-487 of 2026.
(Nabeel Ahmed Lodhi vs Province of Sindh and others)*

*Const. Petition No.D-493 of 2026.
(Rab Dino Shar vs Province of Sindh and others)*

*Const. Petition No.D-545 of 2026.
(Muhammad Irshad Adam vs Province of Sindh and others)*

*Const. Petition No.D-554 of 2026.
(Shazia Arsala Qureshi vs Province of Sindh and others)*

*Const. Petition No.D-578 of 2026.
(Tarique Hussain vs Province of Sindh and others)*

*Const. Petition No.D-594 of 2026.
(Ahmed Din vs Province of Sindh and others)*

*Const. Petition No.D-595 of 2026.
(Mashooque Ali vs Province of Sindh and others)*

*Const. Petition No.D-2278 of 2024.
(Raheem Bux and others vs Province of Sindh and others)*

*Const. Petition No.D-1401 of 2025.
(Waqar Ahmed Mughal and others vs Province of Sindh and others)*

*Const. Petition No.D-1772 of 2025.
(Mashooque Hussain vs Province of Sindh and others)*

*Const. Petition No.D-1865 of 2025.
(Ali Mardan Lanjwani vs Province of Sindh and others)*

*Const. Petition No.D-1868 of 2025.
(Imran Ali Syed vs Province of Sindh and others)*

Const. Petition No.D-2055 of 2025.

(Farooq Ahmed and others vs Province of Sindh and others)

Const. Petition No.D-2092 of 2025.

(Faiz Muhammad Bhanbhro vs Province of Sindh and others)

Const. Petition No.D-2105 of 2025.

(Riaz Hussain Bhanbhro vs Province of Sindh and others)

Const. Petition No.D-2106 of 2025.

(Muzaffar Ali Shanbani vs Province of Sindh and others)

Const. Petition No.D-20 of 2026.

(Ghulam Yaseen Shar vs Province of Sindh and others)

Const. Petition No.D-55 of 2026.

(Mst. Tania and another vs Province of Sindh and others)

Const. Petition No.D-261 of 2026.

(Saifullah Qureshi vs Province of Sindh and others)

Const. Petition No.D-290 of 2026.

(Alam Khan Kubar vs Province of Sindh and others)

Const. Petition No.D-379 of 2026.

(Aijaz Ahmed Mirani vs Province of Sindh and others)

Const. Petition No.D-382 of 2026.

(Zulfiqar Ali Mangi vs Province of Sindh and others)

Const. Petition No.D-401 of 2026.

(Shafiq Ur Rehman Chachar vs Province of Sindh and others)

Const. Petition No.D-427 of 2026.

(Jinsar Ali Shaikh and 2 others vs Province of Sindh and others)

Const. Petition No.D-442 of 2026.

(Usama Channa vs Province of Sindh and others)

Const. Petition No.D-448 of 2026.

(Nawab Ali Buriro vs Province of Sindh and others)

Const. Petition No.D-456 of 2026.

(Bilawal and 2 others vs Province of Sindh and others)

Const. Petition No.D-499 of 2026.

(Sohrab Leghari vs Province of Sindh and others)

Const. Petition No.D-577 of 2026.

(Waqar Ahmed vs Province of Sindh and others)

Const. Petition No.D-600 of 2026.

(Mst. Sanam Mahar vs Province of Sindh and others)

*Const. Petition No.D-602 of 2026.
(Shahrukh Jatoi and another vs Province of Sindh and others)*

*Const. Petition No.D-610 of 2026.
(Abu Bakar vs Province of Sindh and others)*

*Const. Petition No.D-634 of 2026.
(Asif Ali Khaskheli vs Province of Sindh and others)*

*Const. Petition No.D-635 of 2026.
(Saeed Ahmed Chachar vs Province of Sindh and others)*

*Const. Petition No.D-644 of 2026.
(Allah Warayo vs Province of Sindh and others)*

*Const. Petition No.D-667 of 2026.
(Zahid Ali and 2 others vs Province of Sindh and others)*

*Const. Petition No.D-672 of 2026.
(Rafique Ahmed Palh vs Province of Sindh and others)*

*Const. Petition No.D-681 of 2026.
(Muhammad Arif vs Province of Sindh and others)*

*Const. Petition No.D-690 of 2026.
(Muzamil vs Province of Sindh and others)*

*Const. Petition No.D-701 of 2026.
(Muhammad Arshad Khaldi vs Province of Sindh and others)*

*Const. Petition No.D-702 of 2026.
(Rafiullah Khaldi vs Province of Sindh and others)*

*Const. Petition No.D-705 of 2026.
(Waseem Ali Memon vs Province of Sindh and others)*

*Const. Petition No.D-710 of 2026.
(Ghulam Nabi and another vs Province of Sindh and others)*

*Const. Petition No.D-722 of 2026.
(Saqib Ali Khoso vs Province of Sindh and others)*

*Const. Petition No.D-723 of 2026.
(Asif Ali Soomro vs Province of Sindh and others)*

*Const. Petition No.D-726 of 2026.
(Mazhar Hussain Naich through Attorney vs Province of Sindh and others)*

*Const. Petition No.D-737 of 2026.
(shahroz Ali Mughal vs Province of Sindh and others)*

Const. Petition No.D-767 of 2026.

(Danish vs Province of Sindh and others)

*Const. Petition No.D-779 of 2026.
(Mst. Farhana Bozdar vs Province of Sindh and others)*

*Before:-
Mr. Justice Amjad Ali Bohio,
Mr. Justice Ali Haider 'Ada'.*

07.05.2026.

M/s Alam Sher Khan Bozdar, **Muhammad Hamzo Buriro**, Ali Hassan Shar, Abdul Naeem Pirzada, Ashfaque Ahmed Malik, Tanveer Abbas Shah, Badaruddin Memon, Abdul Sattar Thaheem, Shahid All Memon, Rizwana Parveen Memon, Rehmat Ali Shaikh, Riaz Ali Shaikh, Abdul Wahab Shaikh, Qurban Ali Kalwar, Abdul Raheem Ansari and Ghulam Ali Bozdar, **Mehboob Ali Wasan, Zaheer Ahmed, Shafique Ahmed Khan, , Mansoor Hussain Maitlo, Sadam Hussain Shanbani, , Sikandar Saddar Siddiqi, Ghulam Ali Bozdar, Muhammad Yasin Khaskheli, Abdul Mujeeb Shaikh, Asadullah Soomro, Qaimuddin Malano, and Kashif Hussain Shaikah**, Advocates for petitioners.

Mr. Ali Raza Balouch, Additional Advocate General a/w Athar Hussain Jogi, Additional Director Agriculture Extension Naushahro Feroze, Anees Rehman Memon, DEO Secondary Khairpur, Abdul Qudoos, Director DPED

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ORDER

Ali Haider 'Ada' J.- By this single order, all the above-mentioned petitions are being decided together, as they arise out of a common subject matter, wherein the petitioners seek their appointment to various posts in accordance with their entitlement under the Sindh Empowerment of Persons with Disabilities Act, 2018, and the Rules framed thereunder in 2021. The grievance of the petitioners is that they have been deprived of consideration by the Department of Empowerment of Persons with Disabilities.

2. In response, the learned Additional Advocate General, as well as the concerned functionaries, contended that appointments against posts reserved for persons with disabilities are made strictly in accordance with law, keeping in view the classification of disabilities, including Physical Disability (PD), Visual Impairment

(VI), Hearing Impairment (HI), and Intellectual Disability (ID). It is submitted that appointments are made category-wise, and candidates are considered against posts specifically designated for their respective categories.

3. Upon perusal of the entire record, it is evident that the controversy involved in the present petitions is no longer *res integra*, as the Hon'ble Supreme Court of Pakistan, through a series of authoritative pronouncements, has conclusively settled the issue by directing strict adherence to the statutory framework governing the employment of persons with disabilities.

4. Furthermore, a Division Bench of this Court, in C.P. No. D-78 of 2022, has already rendered a detailed judgment, particularly in paragraph No. 36 and onwards, emphasizing the effective implementation of the relevant law and policy.

5. The role of the Deputy Commissioner, being the Chairman of the relevant committee, is pivotal, and it is incumbent upon him to ensure strict compliance with the applicable legal framework.

6. It has also been observed that, in several instances, persons with disabilities approach this Court directly without demonstrating the existence of any advertised vacancy or available post. Mere possession of a disability certificate or educational testimonials, in the absence of a specific vacancy or denial by the competent authority, does not confer any enforceable right for direct appointment under the constitutional jurisdiction of this Court.

7. In such circumstances, the proper course for the disable persons is to first apply against available or duly advertised vacancies. In the event of any denial or non-consideration by the authorities, they may then seek redress before the appropriate forum in accordance with law.

8. In view of the foregoing circumstances, these petitions, along with the listed applications, are hereby disposed of. The petitioners,

after fulfillment of all codal formalities, verification of their credentials, and compliance with the requisite criteria, shall be considered by the competent authority against available vacancies, strictly in accordance with their respective categories of disability, in both public and private establishments, as per law.

For the foregoing reasons, the instant petitions stand disposed of.

JUDGE

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