

# HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

**Before:**

**Justice Arbab Ali Hakro**

**Justice Muhammad Jaffer Raza**

**C.P No.D-363 of 2026**

[Muhammad Mubeen v. Province of Sindh and 04 others]

Petitioner by : Mr. Mir Muhammad Nohri, 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 petitioner seeks constitutional relief under Article 199, asserting that he was duly recommended by the District Recruitment Committee (DRC-2023) for appointment as Cook (BPS-01) in the Health Department. His grievance is that despite the alleged recommendation and the earlier directions of this Court in C.P. No. D- 973 of 2025, the respondents have withheld issuance of the offer letter and have failed to complete the scrutiny process.

2. The petitioner maintains that his name appears in the DRC-2023 list, that the recruitment process was conducted by the competent authority and that similarly placed candidates have been issued offer letters pursuant to the order dated 18.02.2026. He alleges discriminatory treatment and mala fide conduct.

3. The respondents, however, dispute the petitioner's foundational claim. Respondent No. 04 has categorically stated that, as per the official record, the petitioner did not apply or appear in the interview for any post in BPS-01 to BPS-04 and that his name does not appear in the DSC list forwarded under

outward No. DHO/TPR/12315/2023 dated 07.08.2023. While the existence of the DRC minutes is admitted, the respondents deny that the petitioner was among the recommended candidates. They further state that compliance with the order dated 18.02.2026 was undertaken only for verified candidates.

4. Heard and perused the record.

5. The record reveals a direct and irreconcilable conflict: the petitioner asserts that he was duly recommended, whereas the respondents categorically deny his inclusion in the DRC list. The authenticity of the recommendation list, the petitioner's alleged placement therein and the veracity of the recruitment record are thus seriously disputed. Such factual controversies cannot be resolved on affidavits, nor can this Court, in its constitutional jurisdiction, undertake a forensic examination of administrative records.

6. The allegations raised ranging from manipulation of lists to improper exclusion require an independent administrative inquiry by the competent executive authority. The integrity of the recruitment process, the authenticity of the DRC- 2023 list and the conduct of the officials involved must be examined through a structured and impartial mechanism.

7. In view of the disputed factual matrix 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 DRC minutes dated 07.08.2023, the recommendation lists, outward registers and all related documents and shall determine whether the petitioner was 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 petitioner shall be at liberty to place his entire material before the inquiry committee.

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

**JUDGE**

**JUDGE**

**\*Faisal\***