

HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Before:

Justice Arbab Ali Hakro

Justice Muhammad Jaffer Raza

C.P No.D-226 of 2026

[Rajab Ali and 34 others v. Province of Sindh and 04 others]

Petitioners by : G.K Rizwan, Advocate

Respondents by : Mr. Ghulamullah Memon, Additional A.G Sindh a/w Deputy Director D.G Health Services, Hyderabad, Mukhtiarkar Mithi and D.H.O Mithi

Dates of Hearing : **05.05.2026**

Date of Decision : **19.05.2026**

ORDER

ARBAB ALI HAKRO J:- The petitioners have approached this Court under Article 199 of the Constitution, asserting that they were duly recommended by the District Selection Committee for various non-technical posts (BPS-01 to BPS-04) in the Health Department, District Tharparkar and that offer letters were issued to them but appointment orders were unlawfully withheld.

2. The Petitioners claimed that pursuant to advertisements dated 03.09.2021 and 04.09.2021, they applied for the relevant posts, appeared before the District Selection Committee and were issued offer letters. They further rely upon the Provincial Cabinet's decision dated 01.12.2025 lifting the recruitment ban and directing issuance of offer letters to all recommended candidates. They assert that the respondents' inaction is arbitrary and violate of their fundamental rights.

3. The comments filed by Respondent No.5 reveal a diametrically opposite position. It is asserted that twenty-two petitioners never applied for any post, while thirteen petitioners applied but were never recommended by the District Selection Committee. The respondents categorically deny that any

offer letters were issued to the petitioners and describe the outward numbers mentioned therein as “totally fake,” asserting that the official minutes and list of selected candidates were issued under outward No.12315, making it impossible for the petitioners’ documents bearing earlier outward numbers to be genuine.

4. Learned counsel for the petitioners reiterated that the offer letters were duly issued and that the respondents have manipulated the outward register to defeat the petitioners’ rights.

5. Learned A.A.G. adopted the comments and submitted that the entire set of documents relied upon by the petitioners is fabricated.

6. We have heard and perused the record.

7. The core controversy does not relate merely to the legal consequences of an offer letter; it concerns the very existence, authenticity and provenance of the documents relied upon by the petitioners. The respondents deny that the petitioners applied, deny that they were interviewed, deny that they were recommended and deny that any offer letters were issued. The petitioners, conversely, allege manipulation of the outward register and suppression of the original record.

8. Such mutually destructive assertions cannot be adjudicated conclusively in constitutional jurisdiction. This court under writ jurisdiction is not equipped to conduct a forensic examination of disputed documents, verify signatures, scrutinize dispatch registers or determine whether manipulation occurred at the hands of the petitioners or the departmental authorities.

9. The resolution of this controversy requires a neutral, high-level administrative inquiry capable of examining the original record of the District Selection Committee, the outward registers, the minutes, the recommendation lists and the alleged offer letters. Only such an inquiry can determine whether the petitioners’ documents are genuine or whether the respondents’ record

has been altered, as alleged. In the absence of verified foundational facts, no direction for appointment can be issued. The matter must first be subjected to a transparent and authoritative fact-finding process.

10. In view of the disputed factual substratum and the serious allegations of fabrication and manipulation 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 District Tharparkar. The committee shall scrutinize the authenticity of the offer letters, outward registers, minutes of the District Selection Committee, recommendation lists, and all related documents and shall determine whether any manipulation, fabrication or administrative impropriety was committed by any officer or candidate. 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