

HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Before:

Justice Arbab Ali Hakro

Justice Muhammad Jaffer Raza

C.P No.D-228 of 2026

[Liaquat Ali and 04 others v. Province of Sindh and 04 others]

Petitioners by : Mir Tarique Khan Talpur, 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 under Article 199 of the Constitution, seeking enforcement of alleged rights arising out of offer letters purportedly issued to them for non-technical posts (BPS- 01 to BPS- 04) in the Health Department, District Tharparkar @ Mithi.

2. As per the claim of the petitioners that they had applied pursuant to advertisements dated 03.09.2021 and 04.09.2021 for various non-technical posts. They assert that they appeared before the District Selection Committee, were duly interviewed and were thereafter issued offer letters dated 08.08.2023 for the posts of Naib Qasid, Chowkidar and Attendant.

3. Respondent No.3 (Deputy Commissioner) and Respondent No.5 (District Health Officer) have categorically denied the authenticity of the offer letters relied upon by the petitioners. They assert that the outward numbers mentioned therein do not correspond with the official record, and that the minutes of the Selection Committee and the list of selected candidates were issued under outward No.12315, making it impossible for the petitioners' offer letters bearing earlier outward numbers to be genuine. They allege that the documents produced by the petitioners are fabricated and not issued by the competent authority.

4. The petitioners have also filed a rejoinder, wherein they dispute the respondents' stance that the offer letters are fabricated. They have produced several offer letters issued to other candidates, asserting that outward numbers are merely internal administrative tools and not determinative of validity. They allege manipulation of the outward register and request that the original record of the District Selection Committee be summoned or that an independent inquiry be ordered.

5. Learned counsel for the petitioners reiterated that the offer letters were duly issued and that any alleged discrepancy in outward numbers cannot nullify their rights.

6. Learned A.A.G. supported the comments and submitted that the entire set of documents relied upon by the petitioners is doubtful and inconsistent with the official record.

7. Heard and perused the record.

8. The controversy at hand does not merely relate to a legal interpretation of vested rights or locus poenitential; rather, it strikes at the foundational question of fact whether the offer letters and recommendation lists relied upon by the petitioners were ever issued by the competent authority.

9. The petitioners assert issuance of offer letters; the respondents deny it. The petitioners allege manipulation of the outward register; the respondents allege fabrication of documents. The petitioners rely on certain offer letters issued to other candidates; the respondents maintain that the entire set of documents is inconsistent with the official record. These are not matters that can be adjudicated conclusively in constitutional jurisdiction without a proper forensic and administrative inquiry.

10. The jurisdiction of this Court under Article 199 is supervisory, not investigative. Where the very substratum of the petition i.e., the authenticity of documents is seriously disputed and where resolution requires examination of

original registers, dispatch books, minutes and verification of signatures, such disputed factual controversies cannot be resolved through writ jurisdiction.

11. The appropriate course, in circumstances where allegations of manipulation, fabrication or tampering arise from either side, is to refer the matter to the competent administrative authority for a transparent, impartial, and high level inquiry. Only such an inquiry can determine whether the petitioners' documents are genuine or whether the respondents' record has been manipulated, as alleged.

12. We are, therefore, refrains from making any conclusive determination on the merits of the petitioners' claim to appointment, as such determination is contingent upon factual verification that lies outside the scope of jurisdiction of this Court.

13. In view of the foregoing and keeping in mind the disputed nature of the record, this petition is **disposed of** with the direction that the Chief Secretary, Government of Sindh, shall constitute a high- level inquiry committee preferably headed by a senior officer not below BPS- 20 of the Services, General Administration & Coordination Department to examine the entire recruitment process, including the authenticity of the offer letters, outward registers, minutes of the District Selection Committee and all related documents. The inquiry shall also determine whether any manipulation, fabrication, or administrative impropriety was committed by any officer or candidate. The committee shall complete its exercise within sixty days and take appropriate action 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