

HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Before:

Justice Arbab Ali Hakro

Justice Muhammad Jaffer Raza

C.P No.D-275 of 2026

[Abdul Azeem and 51 others v. Province of Sindh and 04 others]

Petitioners by : Mr. Shoukat Ali Rahimoon, 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 petitioners, all residents of District Tharparkar, have invoked the constitutional jurisdiction of this Court under Article 199, asserting that they were duly interviewed, assessed and recommended by the District Selection Committee (DSC) for various non-technical posts (BPS-01 to BPS-04) in the Health Department, District Tharparkar. They contend that despite the DSC's recommendations dated 07.08.2023 and the subsequent decision of the Provincial Cabinet dated 01.12.2025 lifting the recruitment ban, the respondents have unlawfully withheld issuance of offer letters and are attempting to initiate a fresh recruitment process.

2. The petitioners rely upon advertisements dated 03.09.2021 and 04.09.2021, the Government of Sindh's directive dated 19.04.2023 to expedite recruitment and the minutes of the DSC meeting held on 07.08.2023, wherein they were recommended for posts including Chowkidar, Attendant, Aya/Dai, Naib Qasid and Sanitation Worker. They further assert that the Provincial Cabinet's decision dated 01.12.2025 directed issuance of offer letters to all recommended candidates. The petitioners allege that the respondents are deliberately withholding offer letters, intending to cancel the earlier recruitment

process and initiate a fresh one to accommodate politically-influenced candidates. They also rely upon the judgment dated 18.02.2026 passed in C.P. Nos. D-972, D-973 & D-975 of 2025, wherein this Court directed issuance of offer letters to recommended candidates.

3. The comments filed by Respondent No.5, however, dispute the petitioners' claim. It is asserted that although the DSC prepared a list of recommended candidates, the petitioners were not among those recruited by the DSC and that the lists produced by the petitioners require authentication. It is further stated that only those candidates recommended by the DSC and verified in accordance with law were issued offer orders in compliance with directions in C.P. No. D-973 of 2025.

4. Learned counsel for the petitioners reiterated that the petitioners' recommendations are undisputed and that the respondents' refusal to issue offer letters is arbitrary and contrary to the Provincial Cabinet's decision.

5. Learned A.A.G. supported the comments and submitted that the petitioners' claims require factual verification.

6. Heard and perused the record.

7. The petitioners' case rests upon the assertion that they were duly recommended by the DSC and that the respondents are unlawfully withholding offer letters. The respondents, however, dispute the authenticity of the lists relied upon by the petitioners and deny that the petitioners were among the recommended candidates.

8. The controversy therefore does not merely involve the legal effect of a recommendation; it concerns the authenticity, completeness and verification of the underlying record. The petitioners assert that they were recommended; the respondents assert that they were not. The petitioners allege manipulation; the respondents deny issuance of any offer letters. Such mutually conflicting factual assertions cannot be conclusively adjudicated in constitutional

jurisdiction. The writ jurisdiction of this Court is not equipped to conduct a forensic examination of DSC records, verify signatures, scrutinize recommendation lists or determine whether manipulation occurred at the hands of the petitioners or the departmental authorities.

9. The judgments relied upon by the petitioners, including the decision dated 18.02.2026 in C.P. Nos. D-972, D-973 & D-975 of 2025, were rendered in cases where the foundational facts namely, the issuance of offer letters and the authenticity of recommendations were undisputed. In the present case, however, the very substratum of the petition is contested.

10. The resolution of this controversy requires a neutral, high-level administrative inquiry capable of examining the original DSC record, outward registers, minutes, recommendation lists and all related documents. Only such an inquiry can determine whether the petitioners' recommendations were valid, whether any manipulation occurred and whether any officer or candidate acted improperly.

11. 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 DSC minutes dated 07.08.2023, the recommendation lists, outward registers and all related documents and shall determine whether the petitioners were 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 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