

HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Before:

Justice Arbab Ali Hakro

Justice Muhammad Jaffer Raza

C.P No.D-277 of 2026

[Allah Warayo and 07 others v. Province of Sindh and 04 others]

Petitioners by : Mr. Muhammad Meean Bajeer, 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 have approached this Court under Article 199 of the Constitution, 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 have instead issued appointment orders to persons who were never recommended by the DSC.

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 DSC minutes dated 07.08.2023, wherein they claim to have been recommended for posts including Chowkidar, Attendant, Aya/Dai, Naib Qasid, and Sanitation Worker. They further rely upon the judgment dated 18.02.2026 passed in C.P. No. D-973 of 2025, wherein this Court directed issuance of offer letters to all recommended candidates. The petitioners allege that the respondents, instead of issuing offer letters to DSC recommended candidates, have begun issuing appointment orders to politically-influenced

individuals who do not appear in the DSC list. They assert that such conduct is mala fide, arbitrary and contrary to the directions of this Court.

3. The comments filed by Respondent No.5, however, categorically deny the petitioners' assertions. It is stated that the petitioners were not among the candidates recommended by the DSC, that the lists produced by the petitioners require authentication and that offer letters have already been issued only to those candidates who were duly recommended and verified. It is further asserted that no cancellation of the earlier recruitment process has taken place.

4. Learned counsel for the petitioners reiterated that the petitioners' names appear in the DSC list and that the respondents have manipulated the record to deprive them of their lawful rights.

5. Learned A.A.G. supported the comments and submitted that the petitioners' documents are fabricated.

6. Heard and perused the record.

7. The core dispute in the present petition concerns the authenticity, provenance and validity of the DSC recommendation lists relied upon by the petitioners. The respondents deny that the petitioners were ever recommended, deny issuance of any offer letters and dispute the authenticity of the lists produced by the petitioners. The petitioners, conversely, allege manipulation of the official record and issuance of appointment orders to non-recommended individuals. Such mutually destructive factual assertions cannot be conclusively adjudicated in constitutional jurisdiction. The writ jurisdiction of this Court is not a forum for forensic verification of disputed documents, nor can it determine whether manipulation occurred at the hands of the petitioners or the departmental authorities.

8. The judgment dated 18.02.2026 in C.P. No. D-973 of 2025 proceeded on the premise that the petitioners therein were undisputedly recommended

candidates. In the present case, however, the foundational facts namely whether the petitioners were recommended at all are themselves in dispute. The applicability of that judgment therefore depends upon verification of the petitioners' factual assertions.

9. 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' names were genuinely included in the DSC recommendations, whether any manipulation occurred and whether any officer or candidate acted improperly.

10. In view of the disputed factual substratum 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