IN THE HIGH COURT OF SINDH CIRCUIT COURT MIRPUR KHAS

CP No. D – 480 of 2026

(Subash Chandar V. P.O. Sindh & others)

Present;

Mr. Justice Zulfiqar Ali Sangi

Mr. Justice Nisar Ahmed Bhanbhro

Petitioner: :Through Mr. Ghulam Shabbir Mari, Advocate

Respondents : Through Mr. Muhammad Sharif
Assistant Advocate General Sindh,

Date of hearing & order : 12.11.2026

O R D E R

1. Respondent No 3 files comments taken on record.

2. Through instant Petition, the petitioner seeks appointment in School Education Department Government of Sindh under the 5% quota reserved for the Persons with Disabilities (PWDs) under the provisions of Sindh Empowerment of Persons With Disabilities Act, 2018 (SEPDA). It is the case of the Petitioner that he applied for the post of Primary School Teacher pursuant to the advertisement issued in year 2021. He passed the recruitment test and thereafter approached the department to consider his case under PWD quota but the request was declined. Learned Counsel prays to direct the

Respondents to issue him appointment order under the quota reserved for disable persons.

3. Learned Assistant Advocate General, after perusal of reply filed by the Respondent No 4 contended that Petitioner did not apply for the post of PST or JEST under disable quota, therefore, he was not considered for appointment. However, he conceded to the factual position that Petitioner was a disabled person and entitled for the job under SEPDA.

4. Heard arguments and perused the record. Admittedly, Petitioner qualified the recruitment test by obtaining 37 marks, as threshold of passing marks for PWDs was 33 marks, but he was not considered that at the time of moving application, he did not mention that Petition was disbaled person. Mere, non mentioning of the fact of disability in the application or obtaining the disability certificate beyond cut off date for submitting application form, will not do away with the rights and entitlement of the Petitioner for job, when he otherwise fell under the category of PWD and entitled for job under section 11 of the SEPDA.

5. In view of above this petition is allowed. The Respondents are directed to convene the meeting of DRC and consider the case of Petitioner for appointment against the post of PST or JEST as the case may and issue him appointment order within a period of three months from the date of this order.

6. Office is directed to send the copy of this order to Respondents for compliance.

Judge

Judge