

HIGH COURT OF SINDH, KARACHI

C.P No.D-1415 of 2015

Before

Mr. Justice Mohammad Ali Mazhar
Mr. Justice Adnan-UI-Karim Memon

Ghulam Ali and others : M/s Malik Naeem Iqbal and
Petitioners, through Barrister Faizan, advocates

Government of Sindh and : Abdul Jaleel Zubedi A.A.G
Others, through

Date of Hearing : 19-12-2016

Date of Order : 19-12-2016

ORDER

MOHAMMAD ALI MAZHAR---J., The learned for the petitioners argued that on 28.11.2005 an advertisement was published for inviting applications to the post of Data Entry Operator, the Petitioners appeared in the written test and after completing all codal formalities they were issued offer letters on contract basis. Learned counsel for the petitioners argued that all the petitioners are still performing their duties and they are in BPS-12. The petitioners after performing their duties satisfactorily to a reasonable length of service applied for regularization, since no action was taken by the Respondents therefore, this petition was filed in the Year, 2010. During pendency of this petition the Sindh Government promulgated Sindh (Regularization of Adhoc and Contract Employees) Act 2013. The learned counsel for the petitioners submitted copy of an order dated 19-10-2016 passed by this Court in C.P No.D-1820 of 2015. He argued this order was passed in case of Board of Revenue employees in this Court and this Court disposed of the petition with some directions to the respondents so the petitioners deserve the same treatment as they are also employed in the same department.

2. Learned A.A.G invited out attention to the parawise comments filed by the respondent Nos. 2, 6 and 7. In the last paragraph of the comments, it is stated as under:-

“It is submitted that the Government of Sindh in order to regularize the contractual employees promulgated Sindh (Regularization of Adhoc and Contract Employees) Act, 2013 (Sindh Act No.XXV of 2013) and the Petitioners will be dealt in accordance with the law/Rules and Notification issued by the Services, General and Coordination Department, Government of Sindh is annexed herewith and marked R1 & R2 respectively”

3. The learned A.A.G is himself of the view that cases of the petitioners will be considered in the aforesaid Act as indicated in the comments by the concerned respondents.

4. As a result of above discussion, this petition is disposed of in terms of paragraph-4 of the order dated 19-10-2016 passed by this Court in C.P No.D-1820 of 2015. One Miscellaneous Application No. 10249 of 2015 is also fixed under Order 1 rule 10 C.P.C filed by Mr. Malik Naeem Iqbal but learned counsel submits that at present he does not want to press this application and submits that the intervener will avail appropriate remedy in accordance with the Law. The C.M.A No. 10249 of 2015 is dismissed as not pressed, accordingly.

Copy of this order may be transmitted to the learned A.A.G.

J u d g e

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