

Order Sheet
IN THE HIGH COURT OF SINDH AT KARACHI
Constitutional Petition No. D – 8033 of 2019

Date	Order with signature of the Judge
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Before :

Mr. Justice Nadeem Akhtar

Mr. Justice Adnan-ul-Karim Memon

09.11.2020 :

Mr. Altaf-ur-Rehman, advocate for the petitioner.

Mr. Ali Safdar Depar, Assistant AG.

Mr. Muhammad Yousuf Alvi, advocate for Sindh Public Service Commission.

NADEEM AKHTAR, J. – Mr. Shahnawaz Memon advocate files power, comments and counter affidavit on behalf of respondent No.6, which are taken on record.

It is the case of the petitioner that he had passed the written test of the Combined Competitive Examination (CCE) held in the year 2018, but he was declared by the respondents as failed in the interview. In addition to the above, number of other irregularities and malpractices have been alleged by him in the process of the above examination on the part of the respondents. Through the present petition, he has prayed, *inter alia*, that the respondents be directed not to declare the final result of the above examination and the entire record in respect thereof be handed over by them to the Nazir of this Court. CMA No.22411/2020 has been filed by the petitioner praying that the CCE-2020 examination, to be held with effect from 10.11.2020, be suspended in view of the allegations made by him in the present petition.

Comments have been filed by the respondents wherein the allegations leveled by the petitioner have been denied. However, the petitioner insists that marks in the interview are not given to the candidates on merits, and all recommendations / selections are made by the Sindh Public Service Commission and its officials according to their own will and liking. It has been pointed out today by learned AAG that after finalization of the CCE-2018 examination, the successful candidates were appointed whereafter they joined their respective posts. It has also been pointed out by him that the petitioner is participating in the CCE-2020 examination. It has been stated on behalf of Sindh Service Public Commission that the CCE-2020 examination will be held simultaneously at Karachi, Sukkur, Hyderabad and Larkana.

After making their respective submissions at considerable length, learned counsel for the petitioner, learned AAG and learned counsel for Sindh Public Service Commission and respondent No.6 have agreed that, in order to ensure merit and transparency in the process of the CCE-2020 examination, the said examination should be held at Karachi under the supervision of learned Official Assignee, and at Sukkur, Hyderabad and Larkana under the supervision of Additional Registrar Sukkur Bench and Additional Registrars of Circuit Courts at Hyderabad and Larkana, respectively. Learned Official Assignee and the above learned Additional Registrars of this Court shall ensure that the entire process of the CCE-2020 examination is held strictly in accordance with law, relevant rules and regulations and the directions given by Hon'ble Supreme Court vide judgment dated 13.03.2017 in Suo Moto Case No.18/2016, particularly sub-paragraphs 7 to 12, 14 and 15 of paragraph 26 thereof ; the written tests and interview are held, the results thereof are declared and the recommendations in favour of the successful candidates are made strictly on merits and in a fair and transparent manner ; and, in case of rejection of any candidate, he/she shall be informed in writing immediately so that he/she may avail the remedy of appeal.

By consent, this petition and the applications pending therein are disposed of in the above terms with no order as to costs.

Office is directed to communicate this order immediately to learned Official Assignee, and Additional Registrars of this Court at the Sukkur Bench and Circuit Courts at Hyderabad and Larkana. Issue notice to Chief Secretary Sindh and Chairman Sindh Service Public Commission for compliance.

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