

*Order Sheet*  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**Constitutional Petition No.D – 5814 of 2017**

Date	Order with signature of the Judge
------	-----------------------------------

1. For order on CMA No.23511/2020 (O. 39) :
2. For order on CMA No.24172/2017 (Stay) :
3. For hearing of main case :

**10.11.2020** :

Mr. Waheed Ali Ghumro, advocate for the petitioners  
Mr. Ali Safdar Debar, Assistant AG. along with Javed Ali Khawaja, Litigation  
Officer, School Education Department.

-----

In response to an advertisement, the petitioners were appointed as IT / Computer Science Teacher and Computer Lab Incharge in the Education and Literacy Department, Government of Sindh. Subsequent to their appointment, above department was bifurcated into two separate departments i.e. College Education and School Education Departments. The problem arose when after creation of the said two departments, rules were not framed separately for each department and due to this reason, there is confusion and uncertainty at the level of the Government of Sindh and also amongst the employees regarding their status. The present petition is an offshoot of the above problem. The petitioners are aggrieved as orders have been issued by the respondents for their repatriation to their parent department and their parent department has been shown as the School Education Department ; whereas, they claim that according to their qualification and original appointment, their parent department is College Education Department. We are of the view that this problem will not be solved unless proper rules are framed by the respondents, which ought to have been framed in the year 2016 when the Education and Literacy Department was bifurcated as noted above. Such inaction and delay on the part of the respondents has caused not only inconvenience and unrest amongst the employees, but also unnecessary burden on this Court.

In the above circumstances, respondents 1 and 2 are jointly and severally directed to ensure that proper rules are framed and are placed before this Court without fail on or before the next date of hearing. Let notice be issued to respondents 1 and 2 for compliance. Till the next date of hearing, parties are directed to maintain status quo with regard to the present status of the petitioners. To be listed on **10.12.2020 at 11:00 a.m.**

JUDGE

JUDGE