

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P No. D-636 of 2021

| Date | Order with signature of Judge |
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1. For order on Misc. No. 2647/2021.
2. For order on Misc. 2648/2021.
3. For hearing of main case.

Dated : 27.01.2021

Mr. Usman Farooq, advocate for the petitioners.

1. Urgency granted.
2. Exemption application is granted subject to all just exceptions.
3. The case of petitioners No.2&3 is that their services were hired on the contractual basis in the Karachi Development Authority Secretariat in the year 2018 on differently-abled quota and they continued to serve the department till 12.03.2019; and, thereafter they requested for the renewal of their contractual service but to no avail. Learned counsel for the petitioners argued that termination of their services without notice is illegal and against their fundamental rights. Learned counsel pointed out that petitioners No.2&3 are differently-abled persons and subsequently they applied for employment in different departments of the Government of Sindh, but they were not considered. He further argued that this Court has already dealt with the issue of differently-abled persons in C.P. No.D-790/2018 and other connected petitions vide order dated 20.01.2021; and, the case of petitioners No.2&3 is akin to the cases as discussed supra. He prayed for the direction to the respondents to facilitate petitioners No.2&3 and provide them employment in their department for which they have already been appointed on a contract basis. We asked the learned counsel as to whether the petitioners have applied to any department of Government of Sindh on differently-abled quota through a competitive process. He replied that though they applied several times, however, their candidature was not considered. Prima facie, petitioners No.2&3 have to undergo the competitive process to seek appointment on a differently abled quota in the light of judgment passed by the Hon'ble Supreme Court of Pakistan in Civil Petition No.140-L of 2015.

Since the issue involved in this matter is already subjudice before this Court, let notice be issued to the respondents as well as to AAG with directions to file comments. To come up after six (06) weeks along with C.P. No.D-790/2018 and other connected petitions.

JUDGE
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