

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P No. D-827 of 2021
Irfan Khan & others
Versus
Province of Sindh & others

Date	Order with signature of Judge
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1. For orders on CMA No. 3388/21.
2. For orders on CMA No. 3389/21.
3. For hearing of main case.

Dated : 03.02.2021

Mr. Hakim Ali Khan , advocate for the petitioners.

1. Urgency granted.
2. Exemption application is granted subject to all just exceptions.
3. The case of petitioners is based on the differently-abled quota. Learned counsel pointed out that petitioners 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 is akin to the cases as discussed supra. He prayed for the direction to the respondents to facilitate petitioners and provide them employment in their department.

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 have to undergo the competitive process to seek appointment on the 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.

The cut of date in terms of the advertisement dated 09.11.2017 as available on page 297 is 26.12.2017 and the applications of the petitioners are much beyond the cut of date hence petitioners are not in a position to explain delay and laches. Earlier petitions have already been decided on the count that no further applications which were submitted beyond the cut of date shall be considered. The petition thus does not require any consideration and indulgence and is accordingly dismissed along with listed applications. However, the petitioners are at liberty to seek appointment on differently-abled quota as and when the public notice is issued in the newspapers.

JUDGE

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