

Order Sheet
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

CP No. D- 1256 of 2012

Present:-
Mr. Justice Nadeem Akhtar
Mr. Justice Adnan-ul-Karim Memon

Date of hearing:
& decision:

31.10.2019

Petitioners:

Abdul Razzaq and others through Mr. Ahsan Gul Dahri, Advocate who is called absent today and on his behalf Mr. Khalid Hussain, advocate is holding brief.

Respondent No.1:

Province of Sindh and others through Mr. Allah Bachayo Soomro, Addl.A.G

ORDER

ADNAN-UL-KARIM MEMON, J: - Petitioners claim appointment on the basis of donation of plot. This court vide order dated 24.10.2016 put the parties on notice on the premise that the issue with regard to appointment on the basis of donation of plot has already been resolved by the Honourable Supreme Court in Civil Appeal Nos. 19-K to 50-K of 2015.

2. In our view, the appointment is to be based on merits and if on merits the donor or his nominee is at par with other candidates, only then preference can be given to him. The donor or his nominee is not vested with any right to claim any post in Government Department on the basis of donation of plot which is against the public policy and law. The reasons assigned by the petitioners in their pleadings to secure Government job are not justified, thus, does not call for further action on our part. Apart from the above, we have noticed that Petitioners donated a piece of land for the purpose of construction of school "free of cost" cannot be subsequently called in question in writ petition and no claim of appointment in lieu of plot can be entertained under the law.

3. In the view of the forgoing, this petition is found to be misconceived, thus is dismissed along with pending application(s)

JUDGE

JUDGE