

**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD**

CP No. D- 3218 of 2017

Zaheer Ahmed v. Province of Sindh and others

CP No. D- 3791 of 2017

Asif Ali v. Province of Sindh and others

CP No. D- 376 of 2018

Mumtaz Ali v. Province of Sindh and others

CP No. D- 964 of 2018

Ali Raza v. Province of Sindh and others

C.P No. D- 1406 of 2018

Nehal Chang v. Province of Sindh and others

CP No. D- 1605 of 2018

Habib ullah Khan Kalhoro v. Province of Sindh and others

CP No. D- 2715 of 2018

Muhammad Yameen v. Province of Sindh and others

CP No. D- 2768 of 2018

Nisar Ahmed v. Province of Sindh and others

CP No. D- 2832 of 2018

Nadir Ali v. Province of Sindh and others

CP No. D- 2965 of 2018

Bashir Ahmed v. Province of Sindh and others

CP No. D- 3089 of 2018

Jahangir v. Province of Sindh and others

CP No. D- 3193 of 2018

Muneer Ahmed Shoro v. Province of Sindh and others

CP No. D- 429 of 2019

Naushad v. Province of Sindh and others

CP No. D- 1142 of 2019

Naveed v. Province of Sindh and others

CP No. D- 1587 of 2019

Faraz Ahmed v. Province of Sindh and others

CP No. D- 1897 of 2019

Munawar Ahmed v. Province of Sindh and others

Present:-

Mr. Justice Nadeem Akhtar

Mr. Justice Adnan-ul-Karim Memon

Date of hearing: 07.11.2019

& decision: 07.11.2019

Mr. Shahnawaz Brohi, advocate for petitioner in C.P No.D-1406 of 2018

Mr. Hameedullah Dahri, advocate for petitioner in C.P No.D-2965 of 2018.

Mr. Amjad Hussain Rajpar, advocate for petitioner in C.P No.D-3089 of 2018.

Mr. Iqrar Ali N. Panhwar, advocate for petitioner in C.P No.D-1587 of 2019.

Mr. Mian Taj Muhammad Keerio, advocate for petitioner in C.P No.D-1897 of 2019.

Mr. Allah Bachayo Soomro, Addl. Advocate General.

ORDER

ADNAN-UL-KARIM MEMON, J: - Petitioners in these petitions are seeking appointment in Government Service on Deceased Employee Quota in terms of Rule 11-A of Sindh Civil Servant (Appointment Promotion and Transfer) Rules, 1974. Initially, the learned A.A.G. opposed these petitions on the ground that there is cutoff date provided in the aforesaid rules for applying under the above quota and the petitioners had applied after the cutoff date will not be eligible to be considered for appointment under the deceased quota. However, finally, he has consented for disposal of the same with the assertion that his consent is subject to all just exceptions more particularly in the light of Rule 11-A of Sindh Civil Servant (Appointment Promotion and Transfer) Rules, 1974. Since the facts are common, hence all the above numbered petitions are being disposed by this common order.

In our view, Rule 11-A of Sindh Civil Servant (Appointment Promotion and Transfer) Rules, 1974 is very clear in its terms. The Honorable Supreme Court of Pakistan in C. P. No. 482-K & 503-K of 2016 vide order dated 10.08.2016 has held that the clog of two years for making application for employment under deceased quota for the children who have already applied for employment prior to making of this rule, was done away. In the

light of the judgment passed by the Honourable Supreme Court and with the consent of the parties, who are present in Court, these petitions are disposed of in the following terms:

- I. Petitioners shall submit their respective applications along with supporting material / documents to the Chief Secretary, Government of Sindh, through any recognized courier service on or before 15.11.2019, for scrutiny and consideration and decision through a speaking order on or before 31.01.2020 strictly in accordance with law and the prescribed rules, procedure and policy, and after providing opportunity of hearing to the petitioners.
- II. Offer letters shall be issued only to those petitioners who are approved by the Chief Secretary/competent authority where after such petitioners shall complete all legal and codal formalities required under the law and the relevant rule, procedure and policy.
- III. Petitioners who are not approved by the competent authority may seek their remedy, if any, before the competent forum in accordance with law.
- IV. Compliance report in the above terms shall be filed by the Chief Secretary, Government of Sindh, through learned A.A.G. with the Additional Registrar of this Court latest by 15.02.2020.

Let, notice be issued to the Chief Secretary Sindh and Secretaries of the concerned departments, Government of Sindh, along with a copy of this order for its compliance in letter and spirit.

JUDGE

JUDGE

Fahad Memon