

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

C.P No. D- 583 of 2021

Before:-

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Adnan Iqbal Chaudhry

Petitioner : Lakhmir through Mr. Muhammad Kaleemullah
Memon, Advocate.

Respondents : Province of Sindh through Mr. Allah Bachayo
Soomro, Addl. A.G.

Date of hearing & decision : 27.10.2021

ORDER

ADNAN-UL-KARIM MEMON, J: - Through this petition, the petitioner is seeking the appointment on the deceased quota in Police Department, Government of Sindh in terms of Rule 11-A of Sindh Civil Servant (Appointment Promotion and Transfer) Rules, 1974.

2. Initially, the petitioner had approached for his appointment on quota reserved for deceased employees of the police department but on account of non-availability of vacancies, he was not accommodated; therefore, he has approached this Court. In principle the respondent-police department has accepted the claim of the petitioner for the post of either junior clerk/naib Qasid, however, they are reluctant to accommodate him on the pretext that no vacancy is available.

3. In our view Rule 11-A of Sindh Civil Servant (Appointment Promotion and Transfer) Rules, 1974 is very much clear in its terms and the case of the petitioner falls within the ambit of aforesaid Rule, therefore his case is liable to be considered. 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 before making of this rule, was done away.

4. In the light of Rule 11-A of Sindh Civil Servants (Appointment, Promotion, and Transfer) Rules, 1974 and in view of the dicta laid down by Honorable Supreme Court of Pakistan in the case referred to hereinabove, the instant Petition is hereby disposed of in the terms, whereby the Competent Authority / Chief Secretary to Government of Sindh is directed to consider the case of the Petitioner for his appointment against the ministerial post(s) (other

than the police force), subject to his qualification within one month from the date of receipt of this order. Let notice be issued to the Chief Secretary to the Government of Sindh for compliance.

JUDGE

JUDGE

Fahad Memon