

ORDER SHEET

HIGH COURT OF SINDH AT KARACHI

C.P. No.D-2260 of 2019

Date	Order with signature of Judge
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1. For hearing of CMA No.10135/2019 (Stay)
 2. For hearing of main case
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03.11.2021.

Mr. Ali Asadullah Bullo, advocate for the petitioners.
Mr. Ali Safdar Depar, AAG.

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Through this petition, the petitioners seek their regularization in the respondents department. Learned counsel for the petitioners states that on identical facts a petition bearing C.P. No.D-1195 of 2011 was filed before the Hyderabad Circuit Court, which has been disposed of vide order dated 12.12.2019, a copy whereof has been provided by him to this Court as well as to the learned AAG. Learned counsel prays that the instant petition may also be disposed of in the same terms as decided in Paragraphs 7 and 8 of the aforesaid decision.

Learned AAG on the other hand could not controvert the fact that the facts of present petition are different to the facts of above referred petition, which has been disposed of vide order dated 12.12.2019.

We have heard the learned counsel for the petitioner as well as learned AAG and have also considered the submissions made by them. We, are of the view that since the facts of the present petition are akin to the facts of the petition bearing No.C.P.No.D-1195 of 2011, hence we dispose of this petition also along with the listed application as per Paragraphs 7 and 8 of the petition bearing C.P. No.D-1195 of 2011, which reproduced herein below:

“7. We are not convince with the reasoning of Secretary Auqaf for the simple reason that initially petitioner was appointed as Pesh Imam at Jamia Masjid Sanghar in the year 1997, however, he was appointed afresh on contract basis vide letter dated 13.12.2008 and the said period continued from time to time. In the meanwhile, Responded-department regularized the services of the colleagues of the petitioner. Prima facie, his case falls within the ambit of Section 3 of the Sindh (Regularization of Adhoc and Contract Employees) Act, 2013.

8. *In view of the above, the instant petition is disposed of with direction to the competent authority of respondent-department to regularize the services of the petitioner in accordance with law and dicta laid down by Hon'ble Supreme Court in the case of Messers Pakistan State Oil and others vs. Muhammad Siddique and others (2018 SCMR 1181) within a period of one month without discrimination".*

JUDGE

JUDGE