

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 14 of 2020

Hafeez Ahmed Jamali.....Vs.....Fed. of Pakistan & ors

Before:

Mr. Justice Muhammad Junaid Ghaffar
Mr. Justice Zulfiqar Ali Sangi

Date of Hearing: **25-11-2021**

Date of Decision: **25-11-2021**

Mr. Sohail Ahmed Khoso, Advocate for the Petitioner.
Mr. Muhammad Hamzo Buriro, Deputy Attorney General.

ORDER

Muhammad Junaid Ghaffar, J. – Through this Petition, the Petitioner has sought the following relief:-

“a). That this Honorable Court may be pleased to direct the respondent No.02 to 04 to issue appointment orders to the petitioner in view of the recommendation of selection committee, for appointment of eighteen candidates, including petitioner against vacant post as Naib-Qasid BPS-01, it is further submitted that 11 candidates have been appointed by respondents department in compliance of orders of this Honorable court.

b). That this Honorable Court may be pleased to direct the respondent No.02 to 04 not to make fresh appointment on political basis on above mentioned posts of Naib-Qasid BPS-01 till final disposal of this petition”.

2. Counsel for the Petitioner submits that pursuant to an advertisement process, various persons applied for the post of Naib Qasid (BPS-01) and Departmental Selection Committee conducted its Meeting and recommended eighteen different persons for appointment. He submits that the name of the Petitioner appears at serial No.04 in the said list, but was not appointed; whereas other persons in the said list came before this Court in C.Ps.No.D-4873, 3747 and 4283 of 2016 and vide order dated 09.11.2017, they were directed to be appointed. He further submits that in C.Ps.No.D-89 of 2018 and 22 of 2108 again three persons from the said list came before this Court and vide orders dated 24.04.2018 and 28.10.2021, same directions were also issued. He prays for similar relief.

3. On the other hand, learned Deputy Attorney General submits that as per record, name of the Petitioner appears at serial No.04 of the said list and appropriate orders, as may be deemed fit, be passed by this Court.

4. We have heard Counsel for the Petitioner and learned DAG and perused the record. Learned DAG submits that though selection process was completed and Petitioner's name is available at serial No.04, but due to some administrative reasons, process was halted, whereas, only those persons have been appointed who came before the Court and orders were passed in their cases.

5. In view of such position, since there is no denial of the claim of the Petitioner except that only those persons were appointed who had come before the Court, we deem it fit to pass appropriate orders in favour of the Petitioner. Accordingly, this Petition is allowed and the concerned Respondents are directed to act upon the decision of the Departmental Selection Committee, available at page-19 of this Petition, and issue appointment order in favour of the Petitioner.

J U D G E

J U D G E

Ahmad