

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 307 of 2018 & C. P. No. D – 1878 of 2018

Before:

Mr. Justice Muhammad Junaid Ghaffar

Mr. Justice Zulfiqar Ali Sangi

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

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

Mr. Sohail Ahmed Khoso, Advocate for the Petitioners in both matters.
Mr. Miran Bux Shar, Advocate for the Respondents-M.C, Khairpur.
Mr. Ahmed Ali Shahani, Assistant A.G.

ORDER

Muhammad Junaid Ghaffar, J. – Through these Petitions, the Petitioners have sought directions against the Respondents to reinstate them and give benefits of The Sindh Sacked Employees' (Reinstatement) Act, 2016.

We have heard Petitioners' Counsel as well as learned AAG and perused the record.

It appears that this Act was promulgated and made applicable on those employees who were dismissed, removed or terminated from their services from 03.02.1997 to 18.02.2008 on account of political victimization; whereas Section 2(b)¹ of the Act defines "sacked employees" which reflects that notwithstanding that the Petitioners may be falling within the period so specified in the Act; however, it is only applicable on such category of employees who were subsequently reinstated into service at the recommendations of the respective Committees. Admittedly, the Petitioners before us were never reinstated in to service; therefore, apparently neither the Act is applicable to the facts of their case; nor are they entitled for any benefits arising out of the said Act.

In view of the above no case for indulgence is made out; accordingly, both these Petitions are hereby dismissed.

J U D G E

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¹ 2(b) "sacked employees" means a person who was employed as a regular or adhoc or on contract basis or otherwise in service of employer or who was a member of the civil service of the Province of Sindh or who held a civil post in connection with the affairs of the Province of Sindh, or Department and was dismissed, removed or terminated from service during the period from the 3rd day of February, 1997 to the 18th February, 2008 (both days inclusive) and who was subsequently re-instated in service at the recommendations of the committee;"