

IN THE HIGH COURT OF SINDH,
Bench at Sukkur

C. P. No. D – 2958 of 2016

(Sikandar Ali Jatoi v. P.O.Sindh and others)

Before:

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

Date of Hearing: **15-02-2022**

Date of Decision: **15-02-2022**

Mr. Ghulam Shabeer Shar, Advocate for the Petitioner.
Mr. Zulfiqar Ali Naich, Assistant A.G - Sindh.
Paras Baloch, Assistant Director, Sindh Public Commission, Regional Office, Sukkur is in attendance.

ORDER

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

“(a) To direct the Respondents to issue appointment order to the Petitioner his recruitment to the post of Head Master (BPS-17), as he successfully qualified the Tests.

(b). To grant any other relief, which this Hon’ble Court deems fit and proper circumstances of the case”.

2. Learned Counsel for the Petitioner submits that pursuant to an advertisement dated 27.09.2013, the Petitioner applied for the Post of Head Master (BPS-17) and thereafter as per Press Release dated 27.06.2014, he qualified in the written test as well as in the interview, however, despite of this, he was never issued any appointment order, hence this petition.

3. On the other hand, learned Assistant A.G has opposed this Petition on the ground that though the Petitioner had passed the test, however, vide letter dated 18.07.2014, he was required to furnish necessary document including three years’ experience certificate as HST, duly countersigned by the competent authority i.e. the Director Schools which the petitioner has failed to comply, and therefore in absence of such certificate, no appointment order can be issued.

4. We have heard the learned Counsel for the Petitioner as well as learned Assistant A.G and perused the record.

5. On the objection of learned AAG, we have confronted the learned Counsel for the Petitioner as to providing requisite certificate which was also part of the advertisement in question, and in response, he has made an attempt to place on record a certificate issued from some private school. The same cannot be taken on record as the requirement was three years' experience certificate as HST, duly countersigned by the competent authority i.e. the Director Schools and admittedly the Petitioner has never worked as HST; nor the said certificate can be certified by the Director Schools. The petitioner has failed to meet the qualifying requirement and merely passing a test would not create any right in favor of the petitioner as he has failed to fulfill other requirements.

6. In view of such position, no case is made out. Accordingly, this Petition being misconceived is hereby dismissed.

J U D G E

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