

ORDER SHEET  
**IN THE HIGH COURT OF SINDH KARACHI**

Constitutional Petition No. D –5814 of 2017

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Date	order with signature of Judge(s)
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1. For hearing of CMA No.27415/2020 (Contempt)
2. For hearing of CMA No.23511/2020 (Stay)
3. For hearing of CMA No.24172/2017 (Stay)
4. For hearing of main case

**10.03.2022**

Mr. Ahmed Ali Ghumro, advocate for the petitioners alongwith petitioner  
Mr. Ali Safdar Depar, AAG alongwith Mr. Ghulam Ali Brahmani, Additional  
Secretary-II, Ihsanullah Laghari, Deputy Secretary, College Education Department  
and Mr. Abdul Jabbar Shahani, focal person, SELD

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The petitioners were appointed as I.T./Computer Science Teachers and Computer Lab Incharge in the Education & Literacy Department, Government of Sindh. After their appointment, the above department was bifurcated into two separate departments i.e. College Education and School Education Departments. The problem arose when after the creation of the said two departments, recruitment rules were not framed separately for each department and due to this reason, there is confusion and uncertainty at the level of the Government of Sindh and also amongst the employees regarding their status. Keeping in view the aforesaid anomaly, this Court vide order dated 10.11.2020 directed to frame the recruitment rules.

Today, learned AAG has filed a statement on behalf of the Secretary College Education Department and submitted that compliance of the orders passed by this Court has been made in its letter and spirit and relied upon the minutes of the meeting of the Recruitment Rules Committee-I held on 03.3.2022 whereby the recruitment rules were approved. Per learned AAG, there are ten vacant posts on the college side, however, no separate recruitment rules could be framed for ten posts, therefore, he proposed to the petitioners that either they may be awarded time scale promotion at par with Braille Instructors Working in College Education Department, being isolated post with no avenue for regular promotion; and/or the post of IT/Computer teacher being small in number working in College Education Department by fault after bifurcation of Education & Literacy Department, their services may be repatriated to the School Education Department along with SNE, where there is a complete service structure of IT/Computer Teachers (at par with HSTs

& Subject Specialists) with more than 400 posts in School Education & Literacy Department.

At this stage, learned counsel for the petitioners and the petitioner, who is present in person, has opted for the second option.

Be that as it may, without prejudice the rights of the petitioners, we simply dispose of this petition with the understanding that the respondents have complied with the orders passed by this Court; and, recruitment rules for the subject post have been approved, therefore, no further indulgence is required on our part to make deliberation on the contempt application.

Since the petitioner present in Court has agreed to the disposal of this petition in terms of the proposal as put forward by the learned AAG.

In view of the above, this petition has served its purpose and is accordingly disposed of along with pending applications in the above terms.

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