

**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**  
**Const. Petition No. D- 1057I of 2010**

Maria Naz and another.....Petitioners  
Versus  
P.O.Sindh and others.....Respondents.

**Hearing of Main Case**

For the petitioners: Mr. Sohail Ahmed Khoso Advocate  
For official respondents: Mr. Ahmed Ali Shahani, Assistant A.G

Date of Hearing: **31-03-2021**  
Date of Order: **31-03-2021**

**ORDER**

The case of the petitioners is that in response to advertisement, published in daily newspapers inviting the applications for the recruitment of PST, JST and HST in Education Department, the petitioners applied for the post of Primary School Teacher (PST). The petitioners appeared in the written test and were declared successful on merit having secured highest marks, as per provisional merit-list, but the petitioners were not considered for their appointment as PST, hence, they filed this petition for seeking directions against the respondents to appoint them against the post of PST. Lastly, it is prayed that since the petitioners have cleared prequalification test, therefore, they have vested right to be appointed.

2. We have heard learned counsel for the petitioners as well as learned Assistant A.G so also perused the entire material available on record. On perusal of comments, furnished by the respondent No.3,

it is evident that no doubt the candidate having secured 60 marks was declared as successful, but according to policy, appointment was to be made after counting the marks of certificates and degrees, mentioned in the policy and with the condition of availability of vacant needy post in the concerned union council. Accordingly to respondent No.3, the petitioners were declared as successful candidates in the provisional merit-list, but the final merit-list of successful candidates was issued for those union councils where the vacant/needy posts were available. The respondent No.3 has also taken a stance that the petitioners applied from U.C. Jillani-Khairpur, where only two posts of PSTs of male side were vacant and none of post of PST of female side was lying vacant, as such the petitioners were not considered by the respondents department to be appointed for the post of PST. Furthermore, there is no complaint that the petitioners have been discriminated against and other similarly placed candidates were given the appointment letters for the post of PST.

3. Learned counsel for the petitioners has failed to point out any irregularity or illegality in the recruitment process for the appointment of Primary School Teacher, which may have deprived the right of appointment of petitioners. However, if the petitioners are still interested to have a career in teachings then they have to apply again in the Education Department and are required to pass through the prescribed process and mechanism. Accordingly, instant petition fails and stands dismissed.

**JUDGE**

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