

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Const. Petition No. D- 711 of 2018

DATE HEARING	OF	ORDER WITH SIGNATURE OF JUDGE
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Before:
Mr. Justice Aftab Ahmed Gorar &
Mr. Justice Fahim Ahmed Siddiqui

Mr. Ali Raza Baloch Advocate for the petitioner.
Mr. Noor Hassan Malik, Assistant Attorney General.

Date of Hearing: 20-04-2021
Date of Order: 20-04-2021

ORDER

AFTAB AHMED GORAR J., Through instant petition, petitioner seeks his employment in respondents Department i.e. Public Health Engineering Department on the basis of ‘Deceased Quota’ as his father serving as Sub-Engineer lost his breaths while being in service. It is also the case of the petitioner that in earlier Constitutional Petition No.D-1305 of 2014 filed by the petitioner, he was given appointment order for the post of Work Mistri (BPS-05) instead of Sub-Engineer (BPS-11) and petitioner accepted the appointment order under the protest and immediately filed instant petition that he should be given an appropriate post on the basis of his credentials and educational qualifications.

2. We have heard learned counsel for the petitioner as well as learned Assistant A.G so also perused the entire material available on

record. On perusal of comments, furnished by the respondents, it is evident that the case papers of the petitioner for his appointment on the basis of 'Deceased Quota' were placed before DRC in its meeting held on 22.03.2017, where two posts i.e. Junior Clerk (BPS-07) and Work Mistri (BPS-05) were approved, however, the papers of the petitioner were checked and found in order and he was found eligible for the post of Work Mistri (BPS-05) and ultimately the petitioner was appointed for the said post on 11.07.2017 and since then he is discharging his duties with the respondents department as Work Mistri. It is also a matter of record that the next promotion of the petitioner is Sub-Engineer (BPS-11) on required experience and qualification. Furthermore, there is no complaint that the petitioner has been discriminated against and other similarly placed candidates were given the appointment letters for the post of Sub-Engineers.

3. Learned counsel for the petitioner has failed to point out any illegality or material irregularities in the appointment process of the petitioner on the basis of 'Deceased Quota', for the post of Work Mistri (BPS-05) by the competent authority/DRC. Accordingly, instant petition being devoid of any merit stands ***dismissed***.

JUDGE

JUDGE