

IN THE HIGH COURT OF SINDH, KARACHI

Present

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Adnan Iqbal Chaudhry

Constitutional Petition No. D –4112 of 2019

Muhammad Imran
Versus
Government of Sindh and 03 others

Date of hearing
& order : 12.04.2021

Mr. Umar Farooq advocate for the petitioner.
Mr. Moin Azhar Siddiqui advocate for respondents.

ORDER

ADNAN-UL-KARIM MEMON, J. Petitioner seeks appointment in the Karachi University as Adhoc Teacher, based on differently-abled quota on the premise that he was/is a qualified and fit person to be considered for the subject post.

2. At the outset, Mr. Moin Azhar Siddiqui, learned counsel representing respondent-university submitted that the University of Karachi has been complying with the provisions of disabled persons (Employment and Rehabilitation) Ordinance 1981. Learned counsel invited the attention of this Court towards the public notice for such purpose for appointment on the post of the non-teaching faculty from the position of BPS-1 to BPS-16. Per learned counsel as per the enactment of Sindh Empowerment of Persons with Disabilities Act 2018, the University of Karachi has enlarged the specific quota for differently-abled persons from 2% to 5%; and, in this regard, a public notice was issued on 15.02.2019, inviting applications from differently-abled persons; and, the process of appointment has been completed. He asserted that the petitioner did not apply for any post as provided in the public notice as discussed supra, therefore, he was not considered for such appointment. However, he submits that the respondent-university shall take into consideration the

application of the petitioner as and when the public notice for such appointment on differently-abled quota is issued.

3. At this juncture, learned counsel for the petitioner referred to the statement of respondents submitted in compliance with the order dated 03.02.2021 passed by this Court and argued that 14 disabled persons have already been in the service of respondent-university, however, the remaining post of 92 positions have been advertised on 15.02.2019, and the application of the petitioner is under process and shall be finalized as per Rules and Regulations of respondent-university.

4. Learned counsel for the respondent-university endorses his viewpoint and request for disposal of this petition in the light of statement dated 25.02.2021.

5. In view of the consensus reached between the parties, without touching the merits of the case, this petition is disposed of with the direction to the competent authority of respondent-university to look into the matter of the petitioner for his subject appointment against the quota reserved for differently-abled persons, strictly under rules and regulations.

6. The said exercise shall be undertaken within two weeks from the date of receipt of the order. Let order of this Court be transmitted to the competent authority of respondent-university for compliance.

JUDGE

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