

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**  
**C.P.No.D- 2033 of 2013**

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE.
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For katcha peshi.

**22-02-2017**

Petitioner and his counsel both are called absent.  
Mr. Shahriyar I. Awan, Asstt.A.G a/w Nisar Ahmed Memon D.O (Education),  
Naushehro Feroze.  
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None is present for the petitioner. This petition has been filed for  
appointment as Naib Qasid/Chowkidar on the basis of donation of plot.  
However, in the judgment dated 09.11.2015, passed by Hon’ble Supreme  
Court of Pakistan in Civil Appeals Nos. 19-K to 50-K of 2015, it was held  
as under:

“4.....From the aforesaid observations it is clear that the  
agreement between the Government and appellant was in the  
nature of sale of a public office, consideration being the  
transfer of land. Sale of public office cannot be a legal  
transaction. It is completely illegal and against public policy.  
Therefore, such an agreement is hit by section 23 of the  
Contract Act, which makes it void. As the agreement  
amounting to sale of public office is void and illegal, specific  
performance thereof cannot be granted”.

In view of dicta laid down by the Hon’ble Supreme Court of  
Pakistan, this petition is dismissed.

**JUDGE**

**JUDGE**