

IN THE HIGH COURT OF SINDH KARACHI

Before :

Mr. Justice Muhammad Iqbal Kalhoro

Mr. Justice Adnan-ul-Karim Memon

CPNo.D-3035 of 2019

(Kamran Ali Shaikh and 135 others v. Province of Sindh and 03 others)

CPNo.D-3239 of 2019

(Mehnaz Begum and 06 others v. Province of Sindh and 03 others)

Mr. Ameet Kumar, advocate for the petitioner
No.129 in CP No. D-3035 of 2019

None present for the petitioners in CP No.D-3239 of
2019

Mr. Abdul Jalil Zubedi, AAG

Date of hearing

& Decision:

13.01.2023.

ORDER

ADNAN-UL-KARIM MEMON, J. – Through the captioned petitions, the petitioners are seeking regularization of their services.

2. Per learned counsel, petitioners were appointed on a contract basis in the year 2014 and since then they are performing their duties regularly. Learned counsel contends that despite discharging duties by petitioners since the year 2014 till date, Respondents 2 and 3, are not regularizing the services of the petitioners, as such, the petitioners have approached this Court inter-alia with a prayer that their services may be regularized.

3. Learned AAG has submitted that the petitioners are working in Community Midwife Schools across the Province since 2015. He further submitted that the contractual employees BPS-1 to 18 working in National Maternal Neonatal and Child Health (MNCH) Program Sindh were regularized under the Sindh Regularization of Ado and Contract Employees) Act, 2013 was passed by the Provincial Assembly of Sindh, however, their case does not fall within the aforesaid beneficial Act 2013 for the reason that they were appointed on a contract basis in 2014-15.

4. We have heard learned counsel for the parties and perused the material available on record.

5. Record reflects that the competent authority has extended the contractual service of the petitioners under Policy 2022 and petitioners are working in the respondent department since their appointment. If the respondents have retained the services of the petitioners for a longer period, their case is required to be taken into consideration for regularization of their services under the policy decision, however, that is subject to the qualification and eligibility of the petitioners for the subject posts and if they meet the criteria, their services shall be retained, however, that is subject to the availability of vacancy in the relevant field. The aforesaid exercise shall be undertaken by the competent authority within 02 months.

6. These petitions stand disposed of in the above terms.

JUDGE

JUDGE

Nadir*