IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Const. Petition No.D- 1976 of 2017

(*Atta-u-Rehman Mahar v. P.O Sindh & others*)

Present:
Zafar Ahmed Rajput, J.
Zulfiqar Ahmad Khan, J.

For the Petitioner	:	Mr. Shamsuddin Rajper, Advocate.
For the Respondents	:	Mr. Zulfiqar Ali Naich, Assistant A.G.
Date(s) of hearing	:	16-05-2023
Date of Order	:	16-05-2023

O R D E R

Zafar Ahmed Rajput, J. Through instant petition, the petitioner seeks directions to the respondents for implementation of deceased, retired, disabled and incapacitated employees quota and his appointment in the Education Department on deceased quota.

2. It is case of the petitioner that his father served in Education Department as Primary School Teacher (BPS-15) posted at Government Primary School Milan Mahar Taluka Khangarh, District Ghotki, who died during his service on 14.05.2006; hence, the petitioner has right of appointment on deceased quota.

3. The petitioner at the time of death of his father was minor being aged of 16-years. He attained the age of majority on 02.02.2012, and maintained this petition on 16.10.2017 after 05-years and 08-months of his being major. Rule 11-A of the Sindh Civil Servants (Appointment, Promotion & Transfer) Rules, 1974 provides that "*Where a civil servant dies while in service or is declared invalidated or incapacitated for further service, one of his/her children or, as the case may be, spouse (when all the children of the deceased employee are minor) shall be provided job who applies within a period of two years of death or*

declaration of invalidation or incapacity of civil servant on any of the Basic Pay

Scale 1 to 11 in the Department where such civil servant was working".

4.   It is an admitted position that the petitioner did not apply for a job on

deceased quota within two years of his father's death, and as such he slept

over his alleged right. Hence, this petition badly suffers from laches involved in

this petition. Accordingly, same stands **dismissed** along with pending

application(s).

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