

ORDER SHEET

**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

**C. P. No. D – 1731 of 2017**

Date of hearing	Order with signature of Judge
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**For directions**

For hearing of CMA No.2025/2023 (151 CPC)

**14.11.2023**

Mr. Khan Muhammad Sangi, Advocate for petitioner.  
Mr. Ali Raza Baloch, Assistant Advocate General Sindh along with Inspector Ameer Ali Shah (on behalf of DIGP Sukkur) and ASI Dhani Bakhsh (on behalf of SSP Sukkur).

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Application (CMA No.2179/2019) filed for implementation of order dated 04.09.2018, was disposed of on 06.10.2022 when a statement was filed by learned AAG Sindh that IGP Sindh, Karachi vide letter dated 25.09.2020 had approved/recommended the case of the petitioner to the Home Department for appointment against deceased quota, and the Home Department was directed to expedite the case of the petitioner. However, when no result came out of it, the petitioner filed the listed application for initiating contempt proceedings.

In response, statements have been filed highlighting a recruitment policy notified on 23.08.2021, envisaging a procedure under clause 9 for recruitment against the posts of junior rank officials including Naib Qasid, the post, the petitioner was recommended against. It has been informed that later on the petitioner appeared before the Committee, but, was declared failed. However, we have seen that before this Committee was notified, this petition had already been disposed of on 04.09.2018, with direction to the competent authority to consider the case of the petitioner under Rule 11-A of Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974. Consequently, CMA No.2179/2019 was also disposed of by directing the Home Department to expedite the case of the petitioner already processed for appointment as Naib Qasid.

Our tentative view is that since this policy was notified later on, and before it the case of the petitioner had already come under consideration and decided, probably the case of the petitioner is not covered by it. But, in any case, we refer the matter to IGP Sindh for a consideration afresh of the case of the petitioner in terms of the orders dated 04.09.2018 and 06.10.2022, and in view of above tentative view, and independent of the view already taken, and decision within a period of sixty (60) days positively.

The listed application is **disposed of** in the above terms.

J U D G E

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Abdul Basit