

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 1264 of 2015

Date of hearing	Order with signature of Judge
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For hearing of main case

29.11.2023

Mr. Amir Ali Bhutto, Advocate for petitioner.

Mr. Zulfiqar Ali Naich, Assistant Advocate General Sindh along with Bakhat Hussain Sarwari, Focal Person of District Education Officer (Primary), Khairpur.

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Petitioner has filed this petition seeking appointment as PST on the ground that she had applied for the post of PST under the Teachers' Recruitment Policy, 2012, and was declared qualified in all interviews but was not appointed, and someone else with equal marks was appointed without any rhyme and reason, and against the law.

2. Respondents have filed comments, and in Para No.7, it has been stated that petitioner had qualified for the post of PST, but her score was the same with the other selected candidates. She was not possessing any higher qualification than them and was also younger in age at the time of closing/cutoff date i.e. 20.06.2012, as a date of submission of applications, than the other candidates; hence they were considered for the appointment as PST.

3. Learned AAG has further stated that there were three (03) seats of PST in UC Khuhra. The petitioner's marks were equal to that of Aasia Rani & Saima, who were senior in age to her and were possessing some qualification of masters, hence they were appointed. This factual aspect of the case has not been rebutted by learned Counsel for the petitioner. He has not put forward any document to show that petitioner was more qualified than the selected ones or was senior in age to them. When the two candidates obtain equal marks in the test and there is only one vacancy, it is the senior who gets the appointment is a trite law. Therefore, we find this petition without merits, and accordingly **dismiss** it.

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