

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
**Constitution Petition No. D-317 of 2024**  
*(Mst. Sadaf Naz Vs. P.O Sindh & others)*

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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**Before;**

*Adnan-ul-Karim Memon, J;*  
*Muhammad Abdur Rahman, J;*

**Date of hearing and order: 23-05-2024.**

Mr. Abdul Naeem Pirzada advocate for the petitioner.

Mr. Khuda Bux Chohan advocate for respondent No.6  
Mr. Asfandyar Kharal, Assistant A.G, Sindh.

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**ORDER.**

*Adnan-ul-Karim Memon J:-* The petitioner Mst. Sadaf Naz seeks direction to the respondent-Secretary Local Government, Government of Sindh to appoint her against deceased quota in terms of dicta laid down by the Supreme Court in the case of Province of Sindh Vs. Muhammad Taqi Shah (2018 SCMR 1607).

The grievance of the petitioner is that her husband Akram Butt was serving as Sanitary Worker in the respondent Municipal Corporation Sukkur (SMC), he during service passed away on 28-09-2022. After the demise of her husband, the petitioner approached respondent No.6 for her appointment, who forwarded her application to respondent No.3, who also called the original documents of the petitioner for further process, but to date they are keeping her on hollow hopes and avoiding to appoint her, hence she has preferred the instant petition.

Learned AAG assisted by the learned counsel for the respondents has opposed this petition without filing the comments and prayed for the dismissal of the petition.

We have heard the parties and perused the material available on record.

It appears that the subject petition was filed by the petitioner on the premise that the respondents failed and neglected to appoint the petitioner as a Sanitary Worker in Sukkur Municipal Corporation against the quota reserved for deceased employees in the Local Government Department. Respondents claim that Rule 11-A of Sindh Civil Servant (Appointment, Promotion and Transfer) Rules 1974, was/is not applicable in the case of the petitioner as her husband was not a Civil servant and passed away in the year 2022.

In view of the above facts and circumstances of the case as well as orders passed by this Court in C.P No.D-3252 of 2016, let this matter be referred to the Secretary Local Government, Government of Sindh, and respondents to take into consideration the verdict of the Supreme Court on the subject issues, where after if the petitioner is found eligible in all respect for appointment against the quota reserved for deceased Public Servant under the policy, she shall be accommodated as Sanitary Worker by allowing her to complete all legal and codal formalities as required under the law and the relevant rule, procedure, and policy.

Let notice be issued to the Secretary Local Government, Government of Sindh, along with a copy of this order for its compliance in letter and spirit within 30 days.

**Judge**

**Judge**