

**IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD.**

C.P.No.D- 2869 of 2022

***Present:***

*Mr. Justice Zafar Ahmed Rajput.*

*Mr. Justice Muhammad Faisal Kamal Alam.*

1. For orders on office objection.
2. For orders on MA 10227/2022.
3. For hearing of main case.

Date of hearing: 05.06.2024.

Date of Order: 05.06.2024.

Mr. Noor Ahmed Memon, Advocate for petitioner.  
Mr. Allah Bachayo Soomro, Additional A.G, Sindh.

**ORDER**

**MUHAMMAD FAISAL KAMAL ALAM, J:** Petitioner has sought his appointment as an Additional Prosecutor General after he was declared successful in written examination conducted by Respondents No.4 and 5. Petitioner's Counsel has referred to Page No.83 to 85 about the alleged Recommendation dated 25.09.2018. Contended that no plausible reason is there for not appointing the Petitioner.

This Petition is opposed the by learned Additional A.G, Sindh by referring to Parawise Comments. Contended that from 2011 to 2018 Petitioner was working as Lecturer and was in Government service and lastly he drawn salary for the month of July 2018 (Annexure H/3); that Petitioner has concealed this crucial fact in his Application, besides, he did not fulfill the eligible criteria as he does not have a requisite standing of ten years at the Bar.

We have perused the Record. The Document referred to by the Petitioner (ibid), although is a Recommendation, but it is stated that Verification from the Education and Literacy Department is awaited, which is filed with Parawise Comments of the Respondents, as Annexure H/3, according to which the Petitioner has drawn his last salary of July, 2018, although at the relevant time he had

resigned which is accepted from 31.07.2018 vide Notification dated 06.05.2019. This aspect is crucial and goes against the Petitioner. When he applied for the requisite Post of Additional Prosecutor General, he was in Government service and did not have requisite standing of 10 years (not less than 08 years as an Advocate of High Court). It is specifically mentioned in Parawise Comments of the Respondents that Experience Certificate from Sindh Bar Council is a fake Document. Even if the Certificate from Sindh Bar Council is considered authentic, which is issued on 17.04.2011, to the Petitioner, permitting him to appear as an Advocate of High Court, the Advertisement is of 14.04.2017 wherein criteria for the Post of Additional Prosecutor General is mentioned, that a Law Graduate should have atleast 10 years standing at Bar and not less than 08 years as an Advocate of High Court. When the Petitioner appeared in Test in pursuance of this Advertisement, he had 06 years standing as an Advocate of High Court and does not fulfill the criteria, besides he was working as a regular Government Employee and drawing a Salary.

In view of the above, no illegality is committed by Respondents in not selecting the Petitioner. Consequently, no plausible ground is made out to accept this Petition, which is dismissed alongwith listed application.

JUDGE

JUDGE

Tufail