

**Order Sheet**  
**IN THE HIGH COURT OF SINDH,**  
**BENCH AT SUKKUR**

Const. Petition No.D-1112 of 2024

Date of hearing	Order with signature of Judge.
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**Fresh Case**

- 1.For orders on CMA 4351/24
- 2.?For orders on office objections
- 3.For orders on CMA 4352/24
- 4.For orders on CMA 4353/24
- 5.For hearing of main case

**07-08-2024**

M/s Qurban Ali Malano & Syed Naimat Ali Shah, Advocates for petitioners.

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1. Urgency is granted.
2. Deferred for the time being.
3. Exemption is granted subject to all just legal exceptions.

4&5. Learned counsel submits that petitioners are serving with the respondents department as Incharge PC/RV, posted at different PASSCO Procurement Centers for last many years and performing their services to the best of their abilities, however, without any adversal action having been taken against them; however, they were issued charge-sheet available at page-53 dated 05.06.2024 to certain allegations, which were posted against the petitioners and petitioners were accordingly directed to respond to those allegations. Counsel adds that upon submitting convincing response, said enquiry was closed and to the extent that even thereafter appreciation letters were issued to the petitioners, one of which is available at page-65. However, per learned counsel, at the back of petitioners, letter dated 27.06.2024 was issued receiving the Enquiry Committee which had already heard the petitioners and passed satisfactory orders has been reconstituted, not only so upon such reconstitution, learned counsel drawn court's attention to page 61 that the said Enquiry Committee has already held

the petitioners guilty of committing misconduct without new enquiry committee ever called the petitioners and now through impugned letter at page-61, petitioners are once again directed to appear before the said committee along with their written defense and failing which letter suggests that it would be presumed that petitioners have no defense and have accepted the charges. Counsel says that these unwarranted acts have taken at the back of the petitioners and even if serious allegations available at page-69, these are without any just cause and only suggest that the petitioners were involved in corrupt practices without any evidence having been furnished along with the statement of allegations. Notwithstanding, counsel states that earlier committee had already decided the matter in favour of petitioners and reconstitution of the enquiry committee at this stage is encrusted with mala fide and petitioners, as evident from impugned letter at page-61, and petitioners fear that the Committee has already made up mind to pass adversal orders against the petitioners.

In the circumstances, issue notices to respondents as well as DAG. While petitioners to appear before the concerned Committee and put forward their defence along with pressing all *inter alia* above grounds. To come up on **05.09.2024**. Till that date, no coercive action be taken against the petitioners till further orders.

**JUDGE**

**JUDGE**