

ORDER SHEET  
THE HIGH COURT OF SINDH AT KARACHI

Constitution Petition No. D- 6034 of 2023

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Date	Order with signature of Judge
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**Priority**

1. For Order on CMA No. 29289/23.
2. For Order on CMA No. 29357/23.
3. For Order on office objection.
4. For hearing of CMA No. 28184/23.
5. For hearing of main case.

**13.02.2024**

Mr. Malik Naeem Iqbal, Advocate for Petitioner.  
M/s. Mohammd Jibrán Nasir and Rafique Ahmed, Advocates for Respondent No.5.  
Mr. Kashif Nazeer, Assistant Attorney General.  
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At the very outset, Petitioner's Counsel submits that this petition can be disposed of by directing Respondents No. 1 & 2 to adhere to the method of appointment provided in Notification No.F.4-13/74-EIII(PP) dated 15<sup>th</sup> January, 1980 inasmuch as the post being held presently by the Respondent No.5 on deputation has to be filled in by direct recruitment through Federal Public Service Commission, whereas, Respondent No.5 is not entitled in law to hold such post. While confronted, learned Counsel for Respondent No.5 has referred to his statement dated 12.2.2024 along with Letter dated 01.02.2024 and submits that the said Respondent has already approached the Section Officer of Respondent No.1 by stating that as per Recruitment Rules in question, the post of Director Admin (BS-19) is required to be filled by promotion and failing which it has to be filled by direct recruitment. Learned Assistant Attorney General also submits that directions be issued in the above terms.

In view of the above, this petition is *disposed* of by directing the Respondents No.1 & 2 to initiate the process of recruitment by way of fresh appointment in respect of the post of Director Admin (BS-19) through Federal Public Service Commission as per Notification No.F.4-13/74-EIII(PP) dated 15<sup>th</sup> January, 1980. Since considerable time has already lapsed, it is expected that such exercise will be carried out preferably within a reasonable time but not later than 90 days. Let copy of this order be issued to Respondents No.1 & 2.

Petition stands disposed of in the above terms.

**J U D G E**

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