

IN THE HIGH COURT OF SINDH  
AT KARACHI

Constitutional Petition No. D- /2018

PAGE No. 1/.....

Presented on 01/06/18  
Ety 1/6/18  
Additional Registrar (Writ)

1. MOHAMMAD QADAFI KEERIO  
S/O ILIMUDDIN KEERIYO  
MUSLIM, ADULT,  
KEY PUNCH OPERATOR,  
R/O HOUSE NO.303-, STREET NO.1,  
SHAH ABDUL LATIF COLONY, KHAIRPUR, MIRS,
2. ZAFFAR AHMED,  
S/O ALLAH BUX,  
MUSLIM, ADULT,  
NAIB QASID,  
R/O VILLAGE MEHRABPUR, 12 MEHRABPUR,  
P/O MEHRABPUR, TEHSIL SAKRAND,  
DISTRICT BENAZIRABAD,
3. ZUBAIR HUSSAIN  
S/O SHABBIR HUSSAIN,  
MUSLIM, ADULT,  
PHOTO MACHINE OPERATOR,  
R/O HOUSE NO.MA-51, MOINABAD,  
MODEL COLONY, KARACHI,
4. KASHIF ALI,  
S/O ALI SHER,  
MUSLIM, ADULT,  
NAIB QASID,  
R/O MADINA PALACE, 5<sup>TH</sup> FLOOR, HOUSE NO.415,  
MOLVI MOHAMMAD SADIQ ROAD KHADDA,  
LIYARI, KARACHI,
5. MOHAMMAD DANIYAL NOOR,  
S/O NOOR MOHAMMAD,  
MUSLIM, ADULT,  
KEY PUNCH OPERATOR,  
R/O SHAH BAIG LINE, HOUSE NO. 4K6A/H146,  
STREET NO.11, MOHALLA LIYARI, BLOCK-D,

**KARACHI,**

6. **MOHAMMAD DANIYAL KHAN**  
**S/O ISRAR AHMED KHAN,**  
**MUSLIM, ADULT,**  
**JUNIOR PROGRAMMER,**  
**R/O HOUSE NO. A412, MOHALLA NORTH NAZIMABAD,**  
**BLOCK-I, KARACHI,**
  
7. **MOHAMMAD SUMAIR QURBAN,**  
**QURBAN ALI BUGHIO,**  
**MUSLIM, ADULT,**  
**KEY PUNCH OPERATOR,**  
**R/O DECENT VIEW, GULISTAN-E-JAUHAR,**  
**FLAT NO. C404, BLOCK-13, KARACHI,**
  
8. **MOHAMMAD BUX KHASKHELI,**  
**S/O ABDUL WAHID KHASKHELI,**  
**MUSLIM, ADULT,**  
**ASSISTANT FOR KARACHI OFFICE,**  
**R/O SINDHI MOHALLA, SHANTI NAGAR,**  
**GULSHAN-E-IQBAL, HOUSE NO.R-71, BLOCK-19,**  
**KARACHI,**
  
9. **NASEER AHMED SIDDIQUE**  
**NAZIR AHMED,**  
**MUSLIM, ADULT,**  
**DRIVER,**  
**R/O HOUSE NO.1347/A, QURESHI ROAD, DABBA**  
**MOHALLA, OLD SUKKUR DISTRICT SUKKUR,**
  
10. **MOHAMMAD KAMRAN KHAN,**  
**S/O ALLAH DAD KHAN**  
**MUSLIM, ADULT,**  
**ASSISTANT,**  
**R/O SHER MOHAMMAD PALARI VILLAGE,**  
**SAFOORA CHORANGI, NEAR SACHAL POLICE STATION,**  
**HOUSE NO. R-39, KARACHI,**
  
11. **ASIF RAZA**  
**S/O RASHEED RAZA,**  
**MUSLIM, ADULT,**

**DISPATCH RIDER,  
R/O FLAT NO.305, MOHALLA GULSHAN-E-IQBAL,  
BLOCK-13-D, KARACHI,**

12. **ABDUL RAUF  
S/O ABDUL KARIM,  
MUSLIM, ADULT,  
PRON,  
R/O VILLAGE LAYIK MAKHA, NEAR DEGREE COLLEGE  
SUKKUR, DISTRICT SUKKUR,**
  
13. **ABDUL RAZZAK,  
S/O GHULAM MOHAMMAD,  
MUSLIM, ADULT,  
ASSISTANT FOR HEAD OFFICE,  
R/O HOUSE NO.13, BLOCK-D, GREEN TOWN,  
KARACHI,**
  
14. **RANJHAN  
S/O NOORUDDIN SHAMBANI,  
MUSLIM, ADULT,  
OFFICE BOY (PEON),  
R/O VILLAGE THANGO KHAN, P/O SAELHPUTR,  
TARAI, TEHSIL SALEHPATR, DISTRICT SUKKUR,**
  
15. **MOHAN,  
CHANDER,  
HINDU, ADULT,  
KHAKROOB,  
R/O HOUSE NO.D-126/76, MOHALLA BARRAGE  
COLONY SUKKUR,**
  
16. **ABDUL MATEEN,  
S/O ABDUL KAREEM,  
MUSLIM, ADULT,  
KHAKROOB,  
R/O GOTH LAYIK MAKHA, NEAR BOARD OFFICE,  
DISTRICT SUKKUR,**
  
17. **MOHAMMAD AKRAM BHUTTO  
S/O WAZEER HUSSAIN BHUTTO,  
MUSLIM, ADULT,**

**ASSISTANT,  
R/O NEAR NABOO JO PIRR, MOHALLA PANJHATTI,  
DISTRICT KHAIRPUR,**

**18. BASHIR ALI CHAND  
S/O MOULA BUX CHAND,  
MUSLIM, ADULT,  
KEY PUNCH OPERATOR,  
R/O HOUSE NO. 21/A, MOHALLA KHADDA MARKET,  
LIYARI, KARACHI.**

**19. AMIR BUX  
S/O RANO KHAN,  
MUSLIM, ADULT,  
OFFICE (PEON),  
R/O HOUSE NO. ND/48, GRO-1, BATH ISLAND,  
CLIFTON-7, KARACHI.....PETITIONERS**

**VERSUS**

**1. PROVINCE OF SINDH  
THROUGH CHIEF SECRETARY,  
GOVERNMENT OF SINDH,  
SINDH SECRETARIAT, KARACHI,**

**2. SERVICES, GENERAL ADMINISTRATION  
& COORDINATION DEPARTMENT,  
THROUGH IT'S SECRETARY (SERVICES),  
GOVERNMENT OF SINDH,  
SINDH SECRETARIAT, KARACHI,**

**3. PLANNING & DEVELOPMENT DEPARTMENT,  
THROUGH ITS SECRETARY,  
GOVERNMENT OF SINDH,  
SINDH SECRETARIAT,  
KARACHI.....RESPONDENTS**

**AAG**

**CONSTITUTIONAL PETITION UNDER ARTICLE 199 OF  
THE CONSTITUTION OF ISLAMIC REPUBLIC  
OF PAKISTAN, 1973**

The Petitioners above named respectfully sheweth as under: -

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI**

Constitutional Petition No. D-4363 of 2018

Date	Order with signature of Judge(s)
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Before:

Mr. Justice Muhammad Karim Khan Agha

Mr. Justice Adnan-ul-Karim Memon

1. For order on MA No.25972/2022
2. For order on MA No.19586/2018
3. For hearing of main case

**10.12.2024**

Mr. Ali Asadullah Bullo advocate for the petitioner  
Mr. Ali Safdar Depar, Assistant AG

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**MUHAMMAD KARIM KHAN AGHA, J.** The main grievance of the petitioner is that he is a non-contractual employee; however, he seeks regularization as he has been working for a long time as a Key Punch Operator.

We have heard learned counsel for the parties.

It is well-settled now by the Honourable Supreme Court that a contractual employee has no vested right to seek regularization unless there is any legal or statutory basis for the same. In this case, there is neither any legal nor statutory basis which would enable the petitioner to seek regularization. In this respect, reliance is placed on the case of Vice-Chancellor Agriculture University v. Muhammad Shafiq, wherein the Honourable Supreme Court has held as under: -

*"6. It is well settled that there is no vested right to seek regularization for employees hired on contractual basis unless there is any legal or statutory basis for the same. The process of regularization requires backing of any law, rules or policy. It should adhere to the relevant statutory provisions and government policies. In the absence of any of the same, a contractual employee cannot claim regularization. Applying the principles settled by this Court to the proposition at hand, it becomes clear that the Respondents have no automatic right to be regularized unless the same has specifically been provided for in law or policy which in the present case is not available."*

Accordingly, this petition is dismissed alongwith listed / pending applications.

HEAD OF CONST. BENCHES

JUDGE