

ORDER SHEET.
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
Constitutional Petition No.D-155 of 2015

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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17.2.2016.

1. For orders on office objection.
2. For orders on M. A. No.830/2016.
3. For Katcha Peshi.

Mr. Habibullah G. Ghouri, advocate for the petitioner.

Mr. Abdul Hamid Bhurgri, Addl. A.G assisted by Mr. Ali Raza Pathan, State Counsel.

Through this Constitutional Petition, the petitioner has prayed as under:

- a) *That this Honourable Court may graciously be pleased to issue a writ directing the Respondents to appoint the Petitioner as EPI Vaccinator or any other post in Health Department District Dadu ranging between BPS-1 to 15, he being a matriculate, on basis of deceased/son quota as per provisions of Rule 11-A of Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974.*
- b) *Award costs of the Petition.*
- c) *Any other equitable relief be granted to the Petitioner.*

Notices of this petition were issued to the respondents. Respondents No.1 and 2 filed their written replies, copies whereof were also provided to the Counsel for the petitioner.

It is stated by learned Counsel for the petitioner that father of the petitioner, namely, Roshan Ali Chandio was serving as EPI Vaccinator in BHU Thalho, Taluka K. N. Shah viz. under the office of respondent No.1 and he died on 02.08.2011 while he was on duty and such Obituary was issued by the District Health Officer, Dadu. He further submits that the petitioner had filed an application for his appointment in place of his father on the basis of deceased quota as per provisions of Rule 11-A of Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974.

[Signature]
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Learned Addl. A.G has not disputed the above facts and has relied upon the comments filed by respondent No.1, in which it is mentioned that the application of the petitioner for his appointment in place of his father has already been forwarded to the Secretary to Government of Sindh, Health Department, vide letter No.DHOD(EPI-Info/File) 23660/61, dated 18.12.2014. Therefore, under the circumstances, he was of the view that this petition can be disposed of on the basis of comments submitted by respondent No.1 by giving appropriate directions to the Secretary Health to decide the case/claim of the petitioner as per prevailing policy.

Learned Counsel for the petitioner agrees to the above proposal of learned Addl. A.G and seeks disposal of the petition in the above terms.

In view of the above, this petition is disposed of with directions to the Secretary to Government of Sindh, Health Department, Karachi, to decide the case/claim of the petitioner as per rules as early as possible, preferably within the period of 3 (three) months under intimation to this Court through the Additional Registrar.

[Signature]
17/2/2016
JUDGE

[Signature]
17/2/2016
JUDGE