

ORDER SHEET
**HIGH COURT OF SINDH CIRCUIT COURT,
HYDERABAD**

C.P No.D-1512 of 2024

C.P No.D-1440 of 2023

C.P No.D-388 of 2010

C.P No.D-454 of 2011

DATE	ORDER WITH SIGNATURE OF JUDGE
<u>20.12.2024</u>	Mr. Hameedullah Dahri, advocate for petitioners in C.P No.D-1512 of 2024 Mr. Muhammad Ismail Bhutto, Additional A.G Sindh ***

The petitioners were apparently employed by WAPDA on a contingent basis in connection with the Left Bank Outfall Drainage Project as far as back as the year 2008/09, with their services then being regularised in the year 2020 in terms of the Sindh (Regularization of Contingent Paid or Work-Charged Employees) of Left Bank Outfall Drainage Act 2018. Their case is that the regularization should be reckoned with reference to the date of their initial contractual employment. C.Ps No.D-1440 of 2023 and 1512 of 2024 are fresh petitions on that subject, whereas the other two petitions have been disposed of, with miscellaneous applications pending therein on the same score. The claim advanced by the petitioners is found to be misconceived in view of the judgment rendered by the Supreme Court in the case reported as Vice Chancellor Agriculture University, Peshawar and others vs. Muhammad Shafiq and others 2024 SCMR 527 where it was held that “*it is well established that regularization takes effect prospectively, from the date when a regularization order is passed. This is because regularization is based on several considerations which help gauge not only the competence and ability of the employee, proposed to be regularized, but also the financial impact and long term legal obligations on the employer institution. It is a conscious decision to be taken by the employer institution at a particular time and therefore cannot be given a retrospective effect*”. As such, C.Ps No.D-1440 of 2023 and 1512 of 2024 and applications in the connected disposed of petitions, being misconceived, stand dismissed accordingly.

JUDGE

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