

43 *

ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Constt. Petition No. D- 668 of 2013.

Date of hearing	Order with signature of Judge
23.10.2013.	

Mr. Naushad Ali Tagar, Advocate for petitioner.
Mr. Abdul Hamid Bhurgri, Addl. A.G.

Through the instant constitutional petition filed by the petitioner on 17.5.2013, following prayer has been made:

"Direct the respondents to appoint the petitioner in police department on deceased/son-quota against the post of his deceased father H.C Munawar Ali Ujjan, as per policy and rules."

2. Brief facts leading to the filing of the instant petition are that father of the petitioner, namely, Munawar Ali was working in police department as head-constable; he died while in service on 18.06.2011. Death declaration and Obituary issued by the District Police Officer, Larkana, have been placed on record. It is stated that on 25.7.2011, petitioner approached S.S.P Larkana for appointment as police constable against son quota, but petitioner has not been appointed as constable and he has been kept on false hopes. Finding no other way, instant petition has been filed.
3. Notices were issued to the respondents, as well as A.A.G. Comments are filed by S.S.P Larkana, the respondent No.5, in which claim has been admitted and it is stated that process of the appointment of petitioner to the post of constable against son quota is under process.
4. Learned Addl. A.G. did not oppose the claim of petitioner.
5. In the above stated circumstances, keeping in view Rule 11-A of Sindh Civil Servants (Appointment, Promotion & Transfer) Rules, 1974, which provides that "where a civil servant dies while in service or is declared invalidated or incapacitated for further service, one of his children shall be provided job on any of the pay scales Nos. 1 to 10 in the Department in which the deceased civil servant was working without observance of prescribed formalities, if such child is otherwise eligible for

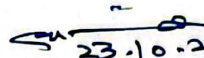
23/10

57

the post". The S.S.P Larkana, in light of aforesaid Rule and Standing Order No.211/2007 of P.P.O Sindh, Karachi, processed matter of the appointment of the petitioner as constable against son quota, thus it is ordered that petitioner shall be appointed as police constable against son quota in lieu of his deceased father after fulfilment of all the formalities as required in rules within the period of one month under intimation to this Court through Additional Registrar.

6. The instant constitutional petition is allowed in above terms and these are the reasons for short order announced by us today morning.


Judge


23.10.2013
Judge


- 1- For Order in MA = 123/14 (U/A)-
 - 2- For Order in MA = 124/14 (E/A)-
 - 3- For Order in MA = 125/14 (C/A)-
-

10-01-14.

Mr. Naveed Ali Tahir,
advocate for petitioner.

Urgency granted. To come up
on 16-01-2014.


Judge


Judge