

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.

Constt: Pett: No. D- 812 of 2013.

Date Order with signature of judge.

For Katcha Peshi.

01.04.2014.

Mr. Naimatullah Bhurgri, advocate for the petitioner.

Mr. Abdul Hamid Bhurgri, A.A.G

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Through instant petition, the petitioner prays as under:

- (a) That this Hon'ble Court may be pleased to declare that the petitioner being son of donor of the plot; local resident of the area and having preferential right is eligible to be appointed as Chowkidar and or Peon in the school constructed over plot donated by father of the petitioner.
- (b) To direct the respondents to act upon prevailing policy of the government and by fulfilling their commitment, to provide job/appoint petitioner as Chowkidar and or Peon in the school, which has been constructed over plot donated by petitioner's father.
- (c) Award costs.
- (d) Grant any other equitable relief.

Whereas respondent No.3 in para No.2 of his comments has contended as under:

"2. That the case of plot donor or his nominee for the appointment as Naib Qasid/Chowkidar can be moved/forwarded to the higher authorities of department for getting necessary approval subject to the submission of following documentary evidence necessarily by plot donor:

- i. Copy of agreement bond signed by the applicant/plot donor and District Officer Education concerned regarding construction of school building.



- ii. Copy of Form B-VII/V.F:II duly signed by Mukthiarkar (Revenue)/(HQ Estate concerned showing the ownership of plot/land of the applicant.
- iii. N.O.C of other shareholders of land/plot and other heirs of property.
- iv. Qualification certificates, CNIC, Domicile and PRC of the applicant.
- v. Documentary proof that the land donated for construction of school building stands transferred/ mutated in the name of Education & Literacy Department, Govt: of Sindh on Form V-VII/V.F:II duly signed by Mukthiarkar (Revenue)/ (HQ) Estate concerned or as the case may be."

In view of above, instant petition is allowed. The petitioner is hereby directed to approach the respondent No.3 and fulfill the conditions as referred above. Further, respondent No.3 is hereby directed that as and when the petitioner complete, the above formalities, he shall recommend the case of the petitioner for appointment in accordance with the law. This exercise shall be completed within two months.

The petition stands disposed of in above terms.


JUDGE


JUDGE 1/4