

ORDER-SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA  
Constt. Petition No. D- 552 of 2013.

Date of hearing 27.03.2014.	Order with signature of Judge
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*For Katcha Peshi.*

Mr. Ashfaq Hussain Abro, Advocate for petitioner.  
Mr. Abdul Hamid Bhurgri, Addl. A.G.

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Through instant petition, the petitioner has invoked constitutional jurisdiction and has prayed as under:

“To direct the respondents to appoint the petitioner as a Chowkidar/Naib Qasid under the policy of Education Department, Government of Sindh.”

Whereas, the respondent No.2, in para-wise comments has contended as under:

- (i) That, an appointment of lower grade viz. Naib Qasid/Chowkidar against plot donation basis is purely policy matter, which is to be considered under the existing rules and regulations framed by Provincial Government, so, according to government policy preference for only one post of lower grade viz. Naib Qasid/Chowkidar can be given/offered to locals preferably on the nomination/recommendation of plot owner/donor.
- (ii) 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 original documentary evidence necessarily by plot donor.
  1. Copy of agreement bond signed by the applicant/plot donor and District Officer Education concerned regarding construction of school building,
  2. Copy of FORM VII-B/V.F-II duly signed by Mukhtiarkar (Revenue)/(HQ), Estate concerned showing the ownership of plot/land of the applicant,
  3. NOC of other shareholders of land/plot and other heirs of property.
  4. Qualification certificates, CNIC, domicile and PRC of the applicant.
  5. Documentary proof that the land donated for construction of school building stands transferred/mutated in the name of Education & Literacy Department, Government of Sindh, on FORM B-VII/ F.V-II duly signed by Mukhtiarkar (Revenue) (HQ) Estate concerned or as the case may be.

In view of above, instant petition is disposed of with directions to the petitioner that he may approach the respondent No.2 alongwith documents specified in para 2 of the comments as referred above, and thereafter the respondents are directed that they shall process case of the applicant and after adopting all legal and codal formalities issue appointment Order to applicant according to their policy. This process shall be finalized preferably within the period of two months.

Judge