

Constitutional Petitions No.D-946 of 2009, 66, 1102,
 1670, 2010, 2381 of 2010, 1637, 1854, 2106, of 2011,
 400, 828, 867, 904, 928, 948, 1054, 1183, 1275, 1418, 1424, 1471 of
 2012, 29, 32, 39, 41, 118, 144, 230, 247, 254, 290, 291, 301, 306, 353,
 405, 420, 448, 462, 476, 481, 523, 546, 556, 573, 583, 652, 704,
 725, 836, 863, 900, 908, 1002, 1018, 1057, 1058, 1059, 1161, 1191,
 1200, 1269, 1270, 1281, 1306, 1334, 1379, 1400, 1436, 1466 of 2013,
 04, 45, 47, 54, 74, 79, 105, 110, 124, 130, 172, 204, 211, 227, 261, 267,
 280, 305, 322, 324, 334, 340, 363, 366, 367, 370, 385, 386, 394, 395,
 399, 402, 420, 425, 436, 453, 460, 466, 478, 499, 512, 558, 570, 571,
 572, 574, 576, 583, 584, 598, 609, 624, 644, 646, 670, 673, 703,
 718, 738, 822, 839, 840, 841, 843, 847, 848, 850, 851, 853, 854, 864,
 879, 885, 888, 895, 900, 903, 906, 915, 926, 939, 948, 949, 958, 983,
 993, 1003, 1017, 1020, 1027, 1034, 1050, 1054, 1059, 1060,
 1073, 1080 and 1087 of 2014.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
24.09.2014.	

Messrs Ali Nawaz Ghanghro, Athar Abbas Solangi, Nisar Ahmed G. Abro, Khalid Iqbal Memon, Faiz Muhammad Larik, Bashir Ahmed Dargahi, Habibullah G. Ghouri, Muhammad Hashim Soomro, Abdul Rahman A. Bhutto, Rafique Ahmed K. Abro, Muhammad Ashique Dhamraho, Ghayoor Abbas Shahani, Ali Raza Pathan, Rashid Mustafa Solangi, Asif Hussain Chandio, Saleem Raza Jakhar, Safdar Ali Ghouri, Ashfaq Hussain Abro, Naimatullah Bhurgri, Irshad Ali R. Chandio, Sajid Hussain Mahessar, Syed Fida Hussain Shah and Leela alias Kalpana Devi, advocates for the petitioners.

Mr. Abdul Hamid Bhurgri, Addl. A. G., Mr. Munawar Ali Abbasi, Asst. Advocate General, Mr. Shahid Iqbal Siyal, Asst. Advocate General and Mr. Imtiaz Ahmed Shahani, State Counsel, alongwith Mushtaq Ali Kalhoro, Statistical Officer (Focal Officer) on behalf of District Education Officer, Larkana.

There are two sets of cases, one that concerns with deceased or retired quota of police officials and the other that relates to the deceased quota of other departments of Government of Sindh.

2. As far as the retired officers or serving officers quota of Police Department is concerned, in that regard the Counsel appearing on behalf of the petitioners have relied upon an elaborate judgment passed by a Division Bench of this Court in the case of *Muhammad Aslam v. Government of Sindh*, reported in **2013 PLC (C.S) 1275**, wherein the entire controversy was put to rest and it was ordered to be decided on the basis of the policy existing and applicable thereto and the rules and

judgments passed in this regard. Hence, all those cases concerned are disposed of with the direction that the petitioners cases be considered in accordance with the policy, on the basis of which they have applied or applicable to the facts and circumstances of the case, rules and the judgments passed in terms thereof. Hence, the cases of the petitioners are to be considered within the parameters described in the above referred judgment.

3. The second set of cases relates to the deceased quota prevailing in different government departments of Government of Sindh. It is unanimously agreed that all those who have applied or who are in the process of applying on the basis of deceased quota, may apply to the concerned departments alongwith all relevant documents and after completing all codal formalities within a period of 30 days from today. Once such compliance is made and documents are furnished, the concerned officers of the said departments within a period of 30 days thereafter may forward the cases of the individuals to the Secretary concerned, who may within a period of one month shall float a summary to the Chief Secretary, who, we believe, would not take more than 20 days to reach a conclusion in accordance with law and dictum laid down in case of Ayaz Ali versus Government of Sindh reported in 2014 PLC (CS) 1060. We would appreciate if all the departments, the Secretaries and the Chief Secretary would comply within the schedule and timeframe given above.

4. With the above observations, all these petitions are disposed of alongwith pending applications, if any.

JUDGE