

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

C.P No.D-1829 of 2024

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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**30.4.2025**

Mr.Ali Hassan Chandio, Advocate for the Petitioner  
Mr.Muhammad Sharif Solangi, Asst. A.G Sindh a/w DSE ES & HS  
(**Abdul Khalique**) and DSE ES & HS (**Muhammad Iqbal Kumbhar**)

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Learned Assistant Advocate General, under the cover of a statement, has filed preliminary objections/para-wise comments on behalf of Respondent No.3, which are taken on record. A copy thereof has been provided to learned counsel for the petitioner for review.

Learned counsel for the petitioner submits that the petitioner was appointed as a Junior School Teacher (BPS-9) in the year 1998, vide Order dated 29.10.1998, issued by the District Education Officer (Male), Secondary Mirpurkhas. However, subsequently, through general orders, all postings were cancelled. He further submits that, thereafter, the petitioner was reinstated in service in the year 2011, vide Order dated 13.04.2011. Additionally, he contends that since the reinstatement of the petitioner, his salary has not been paid and remains withheld by the respondents, compelling him to file the instant petition seeking redressal of his grievance.

Conversely, learned A.A.G submits that the alleged reinstatement Order dated 13.04.2011, purportedly issued by the office of the Executive District Officer (Education), Mirpurkhas, was duly verified by the Director School Education (Primary), Mirpurkhas, who confirmed, through letter dated 08.04.2025, that the said order had been tampered with and was forged.

In rebuttal, learned counsel for the petitioner submits that several fellows appointed alongside the petitioner were subsequently reinstated and are receiving their salaries. On the basis of this analogy, he prays that the same relief be extended to the petitioner.

We have heard the arguments advanced by the learned counsel for the respective parties and have perused the available record. The primary issue raised in the petition pertains to the alleged reinstatement of the petitioner. However, upon verification, the reinstatement Order dated 13.04.2011 was found to be tampered with and forged. Such factual controversies, involving questions of authenticity and validity of documents, cannot be adjudicated in the present constitutional petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, as it requires recording of evidence. Thus, the prayers sought in the petition become secondary in the absence of a valid reinstatement order.

Accordingly, in view of the foregoing, the instant petition stands **dismissed**. However, the petitioner is at liberty to avail an appropriate remedy before the competent forum, if he so desires, in accordance with law.

**JUDGE**

**JUDGE**

AHSAN K. ABRO