

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
C.P.No.D-14 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections at flag "A".
2. For hearing of main case.

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28.08.2025

Syed Fida Hussain Shah, Advocate a/w Petitioner.

Mr. Liaquat Ali Shar, Additional Advocate General, Sindh.

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Through this petition, the petitioner seeks following relief:

- (a). That this Hon'ble Court may be pleased to direct the respondents to issue appointment order to the petitioner for the post of Washerman (BPS-01) or any other vacant post on account of his being successful in the test and interview vide Final Merit List issued by them as they have already appointed/adjusted respondent Muhammad Faizan against post of Washerman (BPS-1) despite he secured 60 marks which is less than 65 marks obtained by the petitioner who was recommended by the respondents for appointment as per Final Merit List."

Learned counsel submits that that the petitioner had applied for the post of Chowkidar, falling under the category of BPS-1 to 4 and secured 65 marks. He further submits that respondent No.6 had also applied for the post of Chokidar as well as Washerman and secured 60 marks; however, he was appointed as Washerman while the petitioner was not appointed, therefore, he has been constrained to maintain this petition. He also argued that respondents had kept the petitioner on false hopes on the ground that they are going to adjust him for the post of Chokidar as well as Naib Qasid; he finally submits that the respondents may be directed to appoint the petitioner for the post of Washerman BPS-1.

Learned Additional Advocate General, Sindh while opposing the petition submits that petitioner had applied for the post of Chowkidar, however, later said post was abolished by the department as per policy. As far as claim of the petitioner that he may be appointed as Washerman is concerned, he did not apply for said post; hence, he cannot claim the same as his candidature was not meant for the said post and as far as appointment of respondent No.6 Muhammad Faizan is concerned, learned Additional Advocate General, Sindh draws attention of the Court towards rebuttal to para-7 of the petition and submits that Respondent No.6, Muhammad Faizan had applied for both, i.e. the posts of Chowkidar as well as Washerman, therefore, he was given appointment for the post of Washerman; hence submits that the petitioner has not come to this Court with clean hands and no case for his appointment has been made out, therefore, prays for dismissal of the petition.

We have heard learned counsel for the petitioner as well as learned Additional Advocate General, Sindh and have perused the material made available before us on record.

Before parting with the order, it will be appropriate to reproduce rebuttal of para-7 of the petition filed by respondents No.1 & 2, which reads as under:

1. It is submitted that the named candidate Muhammad Faizan applied for the posts of Chowkidar as well as for the post of Washerman.
2. It is also submitted that the candidate named Muhammad Faizan qualified for both posts, but as per policy mentioned in the advertisement, Sindh Police Department has the right to increase or decrease the posts advertised, as such the recruitment committee has advised that the post of Chowkidar is unnecessary within the Sindh Police due to availability of constables. Hence, the petitioner namely Ghaffar Ahmed Kalhoro and the candidates who only applied for the post of Chowkidar were not considered for recruitment, and Muhammad Faizan was

recommended/adjusted for the post of Washerman (BPS-01) as per final merit list and the appointment was issued for the post of Washerman (BPS-01) vide appointment order dated 11.01.2024.”

Admittedly, the case of the petitioner is distinguishable from the case of respondent No.6, who was rightly appointed. Accordingly, this petition appears to be misconceived and devoid of its merit, therefore, is dismissed. The petitioner is at liberty to apply in process of the appointment as and when advertised by the Government / Respondents.

Judge

Judge

Manzoor