

HIGH COURT OF SINDH CIRCUIT COURT, MIRPURKHAS

C.P. No.D-752 of 2024

[Waqas Ahmed vs. Province of Sindh & others]

BEFORE:

JUSTICE ADNAN-UL-KARIM MEMON

JUSTICE RIAZAT ALI SAHAR

Mr. Farhan Ahmed Bozdar, advocate for petitioner(s)

Mr. Muhammad Sharif Solangi Assistant A.G Sindh

Date of hearing & decision: 12.11.2025

ADNAN-UL-KARIM MEMON J.- The petitioner prayed as under:

- a. Declare letter No. SLGB/SCUG/AO-EnggII/SR-2/2013/527 dated 10-10-2013, whereby the petitioner's services were terminated, as null and void.
- b. Direct respondents to reinstate the petitioner with effect from 11-10-2013 with all back benefits.
- c. Grant any other relief deemed fit and proper.

2. The case of the Petitioner is that respondent No.1 published an advertisement in *Daily Kawish* dated 11.07.2008 inviting applications for various posts, including Sub-Engineer (Civil) BPS-11. The petitioner applied for the said post, appeared in test and interview passed the same was issued an offer order dated 20.09.2010 requiring him for submission of medical certificate. The posting order dated 08.02.2011 as Sub-Engineer (Civil) at TMA Kot Ghulam Muhammad was issued by respondent No.4. The petitioner joined on 12.02.2011 and his joining was confirmed by respondent No.6. The petitioner was issued service card, his name appeared in the budget estimates for the financial years 2011–12, 2012–13 and 2013–14 at serial No. 3, as well as in the staff lists sent to respondent No. 1. On 11.10.2013 respondent No.6 referring the letter dated 10.10.2013 from respondent No.1 declared the petitioner's appointment order fake and relieved him from service. The petitioner filed representation dated 19.10.2013 and later filed CP. No. D- 2029 of 2013 before this Court, challenging his termination. The said petition was dismissed as "not pressed" on 22.03.2018 without the petitioner's consent. The petitioner's restoration application was accepted on 15.11.2018 allowing him to file a fresh petition. The petitioner served from February 2011 to October 2013

and regularly received salary. His appointment and documents were verified during service. The sudden declaration of his appointment as fake after three years was politically motivated, without affording him hearing is in violation of natural justice. The respondents' action is arbitrary, mala fide, and contrary to law.

3. Learned A.A.G submitted that petitioner Waqas Ahmed joined as Sub-Engineer (Civil) on 12.02.2011 under TMA office order No. TMA/KGM/57/2011. He worked till 10.10.2013, when the Sindh Local Government Board clarified via letter dated 07.09.2013 that his appointment order was fake. Consequently, he was disallowed to work vide TMA letter dated 11-10-2013. He prayed for dismissal of the petition.

4. After hearing both sides and perusing the record, it appears that there exists a dispute regarding genuineness of the petitioner's appointment order. The matter requires proper verification by the competent authority. Therefore, this petition is disposed of with direction to the Secretary, Local Government Department, Government of Sindh, to verify the credentials and appointment record of the petitioner through a proper inquiry. If, upon verification, the petitioner's appointment is found to be genuine and duly issued by the competent authority, the Secretary shall pass speaking order restoring the petitioner to service with all consequential benefits. However, if the appointment is found to be not genuine, the Secretary shall record detailed reasons through a speaking order. Such proceedings shall be completed within three (03) months from the date of receipt of this order, and the petitioner shall be afforded proper opportunity of hearing before passing any final order.

5. This petition stands disposed of in the above terms.

JUDGE

JUDGE