

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Const. Petition No.D-165 of 2019
Const. Petition No.D-369 of 2019
Const. Petition No.D-1065 of 2019
Const. Petition No.D-1192 of 2019
Const. Petition No.D-1816 of 2019
Const. Petition No.D-742 of 2020
Const. Petition No.D-783 of 2020
Const. Petition No.D-1054 of 2020
Const. Petition No.D-239 of 2021
Const. Petition No.D-535 of 2022

Date	Order with signature of Judge
<u>28-09-2022</u>	1. For hearing of CMA No.571/2019 2. For hearing of main case M/s Achar Khan Gabol, Muhammad Asim Malik, Amir Ali Bhutto Sheeraz Fazal, Faraz Khan and Alam Sher Bozdar, Advocates for Petitioners Mr. Samiullah Soomro, Advocate for Workers Welfare Board Mr. Shaharyar Imdad Awan, Assistant Advocate General

Learned counsel appearing for the petitioners in CP No.D-369 of 2019, invited attention of this court towards an application bearing CMA No.5574/2019, filed under order I Rule 10 CPC and states that this application is pending adjudication for last three years to which the respondents have already filed counter-affidavits. He further states that the applicant / intervenor intends to join said CP as petitioner, as his case for regularization of his service in the Department of Workers Welfare Board is at par with the other petitioners of the said petition. Learned counsel appearing for Workers Welfare Board and AAG record their no objections to the grant of this application. Accordingly CMA No.5574/2019 is allowed by adding applicant Yasir Hussain s/o Naseer as petitioner No.10 in the said petition learned counsel for the petitioners files amended title which is taken on record.

Through all these 10 petitions, the petitioners who are serving in the Department of Workers Welfare Board Government of Sindh on contract / work charge / contingency / temporary basis on their respective posts of lower grads seek regularization of their service.

Learned counsel for the petitioners in CP No.D-1065/2019 he as well as other learned counsel appearing for the petitioners while placing on record certain documents of CP No.D-7355/2021 including order dated 14.02.2022, passed in the said petition of identical nature at Principal Bench of this Court at Karachi, seek disposal of listed petitions in terms of said order which is reproduced as under:-

“The respondent / Secretary Welfare Board Sindh has already filed comments through his counsel Mr. Samiullah Soomro Advocate, copy whereof has been provided to learned counsel for the petitioners, who after going through Para-8 of the comments has shown satisfaction and seeking disposal of all petitions with direction to selection committee to consider the cases of the petitioners on merits basis, and petitioners who meet the criteria may be regularized against their sanctioned budgetary post.

In view of the above, all petitions are disposed of, however, selection committee is directed to consider the cases of the petitions on merits basis, and if petitioners meet the criteria shall be regularized against their sanctioned budgetary post, in accordance with law, within thirty (30) days under compliance report through MIT-II of this Court.

The petitions are disposed of in the above terms. Office to place a copy of this order in all connected petitions.”

Learned counsel appearing for Workers Welfare Board as well as learned AAG record their no objection for disposal of listed petitions in terms of aforementioned order dated 14.02.2022.

Accordingly we dispose of the listed petitions with directions to Selection Committee to consider the cases of petitioners in listed petitions on merit basis and if petitioners meet criteria, their services shall be regularized against sanctioned budgetary post in accordance with law within sixty (60) days under compliance report through Additional Registrar of this court.

These petitions stand disposed of in the above terms. Office is directed to place a signed copy of this order in the captioned connected petitions.

JUDGE

JUDGE