

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Present:

Mr. Justice Adnan Iqbal Chaudhry
Mr. Justice Abdul Hamid Bhurgri

Constitution Petition No. D-153 of 2024

[Nasrullah Panhwar Versus Government of Sindh and others]

Petitioner : Mr. Mazhar Ali Bhutto, Advocate holds brief on behalf of Mr. Ghulam Ali Abbasi, Advocate.

Respondents : Through Mr. Munwar Ali Abbasi, Assistant Advocate General, Sindh.

Date of Hearing : 12-03-2026

Date of Order : 12-03-2026

ORDER

Adnan Iqbal Chaudhry J.- Mr. Mazhar Ali Bhutto, Advocate holding brief on behalf of Mr. Ghulam Ali Abbasi, Advocate for the Petitioner, requests for adjournment. However, since this is a date by Court matter, we decline the request for adjournment.

2. _____ After an interview, the Sindh Public Service Commission [SPSC] did not recommend the Petitioner to the post of Staff Nurse (BPS-16) in the Health Department, Government of Sindh. Against that, the Petitioner made a representation which was heard by Member (Appeals) under Regulation No.161 of the Sindh Public Service Commission (Recruitment Management) Regulations 2023 [RMR, 2023]. The representation was rejected by order dated 16.01.2025. Apparently, after filing this petition, the Petitioner also made an appeal to the Appellate Committee under the latter part of Regulation No.161 of the RMR, 2023, which too was dismissed by order dated 15.09.2025.

3. Before us, learned counsel for Petitioner agitates the same grievance i.e. despite high marks in the written test, the Petitioner was not recommended for selection by the SPSC. In reply, the comments of the SPSC are:

“It is relevant to mention here that petitioner secured total 135 marks (i.e. 88 in written test and 47 in interview), whereas last

recommended/selected candidate obtained total 147.5 marks (i.e. 86.5 in written and 61 in interview) on rural quota accordingly.

Rationally speaking, there were many more candidates ahead of him in merit who performed better than that of petitioner in final interview who were recommended against the said post accordingly."

4. In view of the case of *Waheed Gul Khan v. Province of Sindh* (2024 SCMR 1701), it is settled that an interview is inherently a subjective evaluation, and unless malafides or bias are demonstrated, the Court does have jurisdiction to substitute the opinion of the interview board. It was further observed by the Supreme Court in that case, that success in the written test is not a measure of personality traits of the candidate such as communication skills, leadership qualities, decision making abilities etc., which can best be gauged at an interview.

5. Learned counsel for the Petitioner is unable to show that the Interview Committee of the SPSC harbored any ill will against the Petitioner. Orders passed by the Member (Appeals) and then the Appellate Committee under Regulation No.161 of the RMR 2023, also do not suffer from any legal infirmity. Resultantly, the **petition is dismissed.**

JUDGE

JUDGE

Zulfiqar