

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Constitutional Petition No. D-51 of 2026
(Siddique Naveed & another versus Government of Sindh & others)

Date	Order with signature of Judge(s)
	Before: Mr. Justice Adnan-ul-Karim Memon Mr. Justice Yousuf Ali Sayeed

Date of hearing and order : 08.01.2026

M/s. Ebrahim Saifuddin & Mohsin Ali advocates for the petitioners
Mr. Khalid Jawed advocate for Respondent No.2
Mr. Muhammad Ahmed DAG
Mr. Abdul Jalil Zubedi, AAG along with
Asif Mukhtar, Director Legal (KU)

ORDER

Adnan-ul-Karim Memon, J. – The petitioner has filed the captioned Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, with the following prayer: -

- (A) *To declare that the action of the Respondents in not including all Administrative officers serving in BPS-17 from the voters' list for the election to the Syndicate of the University of Karachi is illegal, unconstitutional, discriminatory and without lawful authority.*
- (B) *Set aside the impugned final voters' list issued for the election of one University Officer from the administrative side to the Syndicate of the University of Karachi.*
- (C) *Direct Respondent No.2 to issue and submit the proper voter list of all the officers of the administration side serving in BPS-17 (including names of the petitioners) and above, making them eligible to cast their vote in the forthcoming elections of the Syndicate.*
- (D) *Direct Respondent No.2 to include the names of the Petitioners and all officers of BPS-17 and above in the final/fresh voter list, making them eligible to contest the elections of the Syndicate.*
- (E) *Restrain Respondent No.2 from conducting the Syndicate election from the administrative side until the preparation and notification of a lawful and non-discriminatory voters' list.*
- (F) *Direct Respondent No.2 not to create any kind of hurdle I the process of election for preparing a proper eligible voters' list showing all he officers from the administration side (BPS-17) and above).*
- (G) *Direct Respondent No.2 to conduct a fair and transparent election as per the final/fresh voters' list to be prepared as per he presently working officers of the administration side from BPS-17 and above.*
- (H) *Direct the Respondents not to take any coercive action against the petitioners out of personal grudge and bias towards them.*
- (I) *Grant any other relief deems fit and proper may be allowed to the applicant.*

2. The case of the Petitioners is that they are Administrative Officers serving in BPS-17 at the University of Karachi. Petitioner No.1 is a

Superintendent in the Enquiring Department and Petitioner No.2 is a Junior Accountant in the Audit Office. It is submitted that the University of Karachi announced election to the Syndicate under Section 22(1)(xviii) of the University of Karachi Act, 1972, to be held on 08.01.2026. However, the final voters' list issued by the University unlawfully includes only those BPS-17 Officers who were initially appointed through the Selection Board, while excluding officers who were subsequently promoted to BPS-17. It is urged that this exclusion deprives the petitioners and other similarly placed officers of their right to vote and contest the election. The petitioners, along with over 60 other officers, submitted a written application dated 30.12.2025 requesting inclusion of all BPS-17 and above Administrative Officers in the voters' list, but no action has been taken. It is emphasized that similar issue was adjudicated by this Court in C.P. No. D-2062/2025, where this Court directed that all eligible BPS-17 and above officer be included in the voters' list and allowed to participate in elections, compelling them to approach this Court.

3. Learned Counsel for the Petitioners submitted that the impugned voters' list is arbitrary, discriminatory without lawful authority, and violative of the Constitution. He referred to Section 22(1)(xviii) of the University of Karachi Act, makes no distinction between directly appointed and promoted officers; the respondents have created an illegal classification. He submitted that Exclusion of promoted officers continues hostile discrimination and violates Article 4, 10-A, and 25 of the Constitution. He emphasized that failure to decide petitioners' representation amounts to abuse and non-exercise of statutory powers. He argued that proceedings with elections on the impugned list will cause irreparable loss and render the petition infructuous. At this stage, we asked him that the election has already commenced. He insisted to restrain them from conducting such election.

4. Learned counsel representing the respondent university has raised the question of the maintainability of the petition and prayed to dismiss it without filling the comments.

5. We have heard learned counsel for the Petitioner on the maintainability of the petition and examined the record with his assistance.

6. In view of the fact that the election process for the Syndicate seat has already commenced in accordance with the notified schedule, the reliefs sought through the present petition have been rendered infructuous, as no effective order can now be passed without disrupting an ongoing

electoral process. However, petitioners can agitate their claim before the competent authority on the aforesaid analogy.

7. Accordingly the instant petition is dismissed with no order as to costs as having become infructuous due to commencement of the election process as interference at this stage is not called for. However, the petitioners shall be at liberty to avail appropriate remedies, if any grievance survives after conclusion of the election, in accordance with law.

JUDGE

JUDGE

Shafi