

**THE HIGH COURT OF SINDH, CIRCUIT COURT
LARKANA**

Present:

Mr. Justice Adnan Iqbal Chaudhry
Mr. Justice Ali Haider 'Ada'

Constitution Petition No. D-38 of 2026

[Aizaz Hussain Soomro Versus Province of Sindh & others]

27.01.2026

Mr. Javed Ahmed Soomro, Advocate holds brief on behalf of Mr. Riaz Ahmed Soomro, Advocate for Petitioner.

JUDGMENT

Adnan Iqbal Chaudhry J. - Petitioner seeks a writ to the Schools Education & Literacy Department, Government of Sindh for employing the Petitioner on the deceased quota under Rule 11-A of the Sindh Civil Servants (Appointment, Promotion, Transfer) Rules, 1974. Learned counsel acknowledges that Rule 11-A has since been omitted pursuant to pronouncement of the Supreme Court in *General Post Office, Islamabad v. Muhammad Jalal* (PLD 2024 SC 1276) [*Jalal's case*], whereby it was held that rules and polices for making appointments on the deceased or son quota (saving certain exceptions), were unconstitutional. However, learned counsel relies on judgment dated 01.09.2025 passed by the Supreme Court in other matters (C.A. No. 106-K to 111-K & 650-K of 2024 etc., *Province of Sindh v. Azhar Ali & others*) to uphold certain orders passed by the High Court of Sindh for appointment on the deceased quota after observing that *Jalal's case* does not operate retrospectively.

2. It will be seen that orders of the High Court upheld by the Supreme Court by judgment dated 01.09.2025, were orders passed prior to *Jalal's case*, and for this reason it was held there that *Jalal's case* does not operate retrospectively to effect matters already adjudicated. Therefore, that judgment does not help the Petitioner. It has already been held by this Court in *Sanaullah v. Deputy Commissioner, Larkana*

(Referee opinion dated 24.11.2025 in C.P. No.D-99 /2025) that *Jalal's case* did not save applications pending for appointment on the deceased quota.

3. In view of the foregoing, the petition is dismissed in *limine*.

JUDGE

JUDGE

Larkana:

Dated: 27-01-2026