

**IN HIGH COURT OF SINDH
CIRCUIT COURT, HYDERABAD**

CP No.D-639 of 2026

(Chanaisar Khan v. Province of Sindh & others)

PRESENT:

Justice Adnan Iqbal Chaudhry

Justice Riazat Ali Sahar

1. For order on MA No.2656/2026.
2. For order on office objection.
3. For order on MA No.2657/2026.
4. For hearing of main case.

Mr. Abdul Waheed Lanjar, Advocate for Petitioner.

Date of hearing & decision: 14.04.2026.

ORDER

Adnan Iqbal Chaudhry, J- Urgency granted. Pursuant to a recruitment process held in March 2025, the Petitioner was recruited for the post of police constable in the Sindh Police, District Hyderabad. The offer of appointment was subject to medical screening, including a blood test for the Hepatitis B virus. The Petitioner tested positive for Hepatitis B. Therefore, on 11.08.2025, the Recruitment Board decided to withdraw his selection along with 28 others recruits who also tested positive for Hepatitis B. The Petitioner has produced another blood report, dated 09.10.2025, issued to him by the Agha Khan University Hospital for the test of “Serum Hepatitis Bs Ab” with the result “NON REACTIVE (<2.0) IU/L”. According to him, such report demonstrates that the blood report relied upon by the Recruitment Board was incorrect. He therefore, prays:

“Direct respondents 2 and 3 to conduct a fresh, impartial medical examination mainly HBsAb of the Petitioner through a recognized Government Medical Board/ Hospital using the ELISA (antibody) method, and decide his eligibility strictly on the basis of such authentic report.”

2. Learned counsel for the Petitioner submits that the Recruitment Board had allowed some of the other recruits, such as Ata-ur-Rehman and Tameez Ali, to appear for a second blood test, and that their test returned negative for Hepatitis B, and

therefore the Petitioner is entitled to the same treatment as guaranteed by Article 25 of the Constitution of Pakistan.

3. The record reflects that before 18.07.2025, around 18 other recruits who had tested positive for Hepatitis B, including Ata-ur-Rehman and Tameez Ali, had made applications to the Recruitment Board to reconduct their blood test by producing negative blood reports issued to them by another laboratory. Therefore, by decision dated 18.07.2025, the Recruitment Board agreed to another blood test for those 18 recruits through the Agha Khan University Hospital. On 07.08.2025, they were re-screened for a second blood test. Their fresh blood reports were examined by the Recruitment Board on 11.08.2025 along with blood reports of the other recruits, including the Petitioner, who had never requested for a second blood test. All recruits who had tested positive for Hepatitis B were dropped.

4. The recruits cited by the Petitioner i.e. Ata-ur-Rehman and Tameez Ali, had made applications to the Recruitment Board as soon as they tested positive for Hepatitis B and were therefore allowed to undertake another blood test on 07.08.2025. The Petitioner did not do the same. He also did not make any move right after 11.08.2025 when his selection was withdrawn due to a positive Hepatitis B report. Rather, he waited till 08.10.2025, when he got himself tested again for Hepatitis B. While that report returned with the result “*non-reactive*”, that reflected the position prevailing after two months of the positive report. It may well be that during the intervening period the Petitioner had healed, and the virus dissipated. Though the Petitioner’s subsequent blood report dated 09.10.2025 can best be interpreted by a medical expert, it does not necessarily establish that the previous blood report relied upon by the Recruitment Board was incorrect.

5. Nevertheless, even after 09.10.2025 when the Petitioner had the “*non-reactive*” report in hand, he did not make any request to the Recruitment Board for a fresh blood test. In fact, he continued to wait for nearly 6 months before approaching this Court on 02.04.2026. In such circumstances, the plea of discrimination or same treatment is not available to the Petitioner. Reliance placed by him on order dated 04.12.2025 passed by this Court in C.P.

No.D-1649/2025, ordering a fresh blood test for another recruit, is of no help, as that person had approached this court much earlier than the Petitioner.

6. It is axiomatic that selection process for a civil post has a time-line. It must, in any case, be completed within reasonable time lest it discriminates between candidates. The selection process subject matter of this petition had been initiated with an advertisement as far back as March 2024. Though the process seems to have dragged on till August 2025, it is since over. We are not inclined to re-open the selection process for a candidate who remained indolent. In fact, to do so would be to discriminate against candidates who had tested positive with the Hepatitis B virus alongside the Petitioner. The petition is therefore **dismissed** *in limine*.

JUDGE

JUDGE