

**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**

*Constitutional Petition No. D- 597 of 2026*  
*[ Nadir Wistro vs. Province of Sindh and others]*

*Present:-*

*Mr. Justice Amjad Ali Bohio,*  
*Mr. Justice Ali Haider 'Ada'.*

*Fresh case*

- 1. For orders on office objections.*
- 2. For orders on CMA No.2381/2026 (Ex/A)*
- 3. For the hearing of the main case.*

**05.05.2026.**

Mr. J.K Jarwar, Advocate for Petitioner

**ORDER**

*Ali Haider 'Ada', J:-* Through this Constitutional Petition, the petitioner has assailed his termination from the post of Constable in Sindh Reserve Police, Hyderabad, contending that the same is illegal and void ab initio, and has sought reinstatement in service.

Briefly, the facts of the case are that the petitioner was appointed as a Police Constable in Sindh Reserve Police, Hyderabad, vide order dated 25.10.2013. Subsequently, a show-cause notice was issued to him on the allegation that his appointment was illegal. After completion of departmental proceedings, the petitioner was awarded the major penalty of removal from service vide order dated 06.05.2016.

The petitioner initially challenged the said order before the Sindh Service Tribunal through Appeal No.1810 of 2016, which was disposed of with directions to a centralized re-examination committee to reassess the recruitment of the affected candidates after due advertisement. In compliance therewith, the petitioner appeared before the said committee; however, he was declared successful, contrary to his contention.

Thereafter, the petitioner preferred another Appeal No.32 of 2026 before the Sindh Service Tribunal, which too was dismissed.

The petitioner has now invoked the constitutional jurisdiction of this Court.

Learned counsel for the petitioner submits that a co-employee, namely Shayan Qureshi, who was allegedly similarly placed, was reinstated through an order passed by the Honourable High Court of Sindh, Circuit Court Hyderabad, and, therefore, the petitioner is also entitled to the same relief.

Heard learned counsel and perused the material available on record.

It transpires from the record that the petitioner had already availed the statutory remedy before the Sindh Service Tribunal, which, instead of granting reinstatement, directed reassessment of the recruitment through a competent committee. Although the petitioner claims that he was declared successful in the reassessment process and has placed reliance upon a document annexed at page-63, it appears that such material was not placed before the Sindh Service Tribunal at the time of adjudication of Appeal No.32 of 2026, which was decided on 06.03.2026.

Furthermore, it is an admitted position that the petitioner was initially appointed within the territorial jurisdiction of Hyderabad, and the impugned actions were also taken by the competent authorities situated within the same jurisdiction. Thus, no cause of action has arisen within the territorial limits of this Court. On this score alone, the instant petition suffers from a jurisdictional defect and is not maintainable. In this regard, reliance is placed upon the cases of *Karamat Ullah Khan Chaudhry v. Federation of Pakistan* (2018 PLC (C.S.) 555), *Mirza Luqman Masud v. Government of Pakistan* (2015 PLC (C.S.) 526), *Azad Hafeez Ltd. v. Chairman, FBR* (2012 MLD 1684), *Ibrahim Fibres Ltd. v. Federation of Pakistan* (PLD 2009 Karachi 154), *Dr. Qaiser Rashid v. Federal Secretary, Ministry of Foreign Affairs* (PLD 2006 Lahore 789), *Inaam Elahi Nasir v. National Bank of Pakistan* (2013

PLC (C.S.) 899), *Danish Kaneria v. Pakistan* (2012 CLC 389), *Mrs. Rohi Chaudhry v. Federation of Pakistan* (2010 PTD 1233), *High Noon Textile Ltd. v. Saudi Pak Industrial and Agricultural Investment Co.* (2010 CLD 567), *Muhammad Maqsood Sabir Ansari v. District Returning Officer, Kasur* (2007 CLC 1113), *Mst. Shahida Maqsood v. President of Pakistan* (2004 CLC 565), *Province of NWFP v. Abdur Rahman* (1991 SCMR 1321), and *Muhammad Naim v. State Cement Corporation of Pakistan* (1989 CLC 1241), wherein it has been consistently held that a constitutional petition is maintainable only where the cause of action wholly or in part arises within the territorial jurisdiction of the Court.

Accordingly, this Constitutional Petition is hereby dismissed.

**JUDGE**

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