

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

**Constitutional Petition No. D-761 of 2026.
(Muhammad Punhal Baloch vs. Province of Sindh and others)**

**Before:-
Mr. Justice Amjad Ali Bohio,
Mr. Justice Ali Haider 'Ada'.**

1. For orders on CMA No.2937/2026
2. For orders on office objections
3. For orders on CMA No.2938/2026
4. For hearing of main case.

05.05.2026.

Mr. Samiullah Rind, Advocate for the Petitioner.

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ORDER

1. Urgency granted.

2 to 4.The petitioner was serving as a Prison Constable at the Central Prison and Correctional Facility, Khairpur. Through an order passed by Respondent No. 2, a major penalty of dismissal from service was imposed upon him with immediate effect under the Sindh Prisons and Corrections Service Rules, 2019.

Learned counsel for the petitioner contends that the impugned dismissal order is not in accordance with law. However, despite being confronted during the course of arguments, he failed to furnish any satisfactory explanation as to why the petitioner did not avail the statutory remedies available under the law, and instead directly invoked the constitutional jurisdiction of this Court.

It is an established principle that where a statutory mechanism exists, the same must be exhausted before seeking constitutional relief. In the present case, the petitioner, having been awarded a major penalty under Rule 386(b)(iv)

of the Sindh Prisons and Corrections Service Rules, 2019, had an adequate and efficacious remedy of filing a departmental appeal in terms of Rule 395 of the said Rules. However, no material has been placed on record to demonstrate that any such appeal was preferred by the petitioner.

Furthermore, the petitioner also had the remedy of approaching the competent Service Tribunal to challenge the dismissal order. Without exhausting the available remedies, the direct invocation of constitutional jurisdiction is not warranted.

In view of the foregoing, this petition is found to be misconceived and not maintainable. Accordingly, the same is hereby dismissed in *limine* along with any pending applications.

JUDGE

JUDGE