

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-1585 of 2021

[Veeram and others vs. Province of Sindh and others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON

JUSTICE MUHAMMAD JAFFER RAZA

Petitioners:	By Mr. Abdul Hameed Bajwa
Respondents:	Mr. Rafique Ahmed Dahri, Additional A.G Sindh
Date of hearing	20.10.2026
Date of Decision	20.10.2026

O R D E R

ADNAN-UL-KARIM MEMON J:- The petitioners seek regularization against the posts on which they have been serving for over a decade; a declaration that the DRC recommendations dated 21.03.2018 (No. DC/IB/BDN/371 of 2018) are lawful, and those dated 08.05.2018 (No. DC/IB/BDN/520 of 2018) are illegal, mala fide and void ab initio.

2. At the very outset the counsel for the petitioners submitted that the services of the petitioners No.3 and 4 have been regularized and as such the services of the remaining petitioners is also required to be regularized. This stance has been disputed by the learned Additional A.G Sindh.

3. The petitioners' case is that they were appointed on a contingent/contract basis in various offices of the District Administration, Badin, in 2010 and have since been continuously serving against their respective posts. They claim to have performed their duties satisfactorily and seek regularization of their services, alleging that the respondents are appointing other persons against the posts occupied by them without following the prescribed recruitment procedure. They further submit that despite vacant posts and repeated requests, their services have not been regularized. The petitioners previously filed C.P. No. D-2258 of 2012, which was disposed of by this Court on 07.02.2018 on the respondents' statement that their cases would be considered by the competent committee within three months. Pursuant thereto, a scrutiny committee was constituted, and its minutes dated 21.03.2018 allegedly recommended their regularization. However, through subsequent minutes dated 08.05.2018, the committee declined to recommend their cases. The petitioners challenge the latter decision as illegal, mala fide and

discriminatory, seeking regularization against the posts on which they have been serving.

4. Learned AAG submits that the petitioners' cases were considered by Scrutiny Committee No. II in its meeting held on 08.05.2018, in compliance with this Court's order dated 07.02.2018 and in accordance with the applicable Government policy. The committee found that the petitioners' cases were not covered by the relevant law and policy and, accordingly, did not recommend their regularization. It is further contended that Notification dated 16.10.2014 applies to contract/ad hoc employees and does not extend to persons engaged on a daily-wage or work-charged basis. The AAG maintains that there has been no discrimination or violation of the Court's order, as the petitioners' cases were duly considered in accordance with the prescribed procedure. He also raises objections regarding maintainability and limitation, contending that the earlier proceedings, including the contempt application, have already been concluded. Accordingly, dismissal of the instant petition is sought.

5. We have heard the learned counsel for the parties and perused the record with their assistance.

6. In view of the submissions of learned counsel for the parties, the record, and the applicable law, it appears that the petitioners' cases were considered by the Scrutiny Committee pursuant to the order dated 07.02.2018 passed in C.P. No. D-2258 of 2012. However, the earlier recommendations dated 21.03.2018 and the subsequent decision dated 08.05.2018 reflect conflicting outcomes, requiring examination of the relevant record and the legal basis for such change by the competent authority, as this Court under Article 199 of the Constitution of Islamic Republic of Pakistan cannot undertake such exercise. However, mere continuation in service for a prolonged period, by itself, does not confer an enforceable right to regularization, which remains subject to the applicable law, recruitment rules, and government policy. The respondents are, however, bound to act fairly, consistently, and without discrimination.

7. In the absence of any material establishing that the petitioners fall within the applicable regularization policy or that the impugned decision was passed in violation of law, mala fide, or through discriminatory treatment, no direction for their regularization of services can be issued at this stage under Article 199 of the Constitution of Islamic Republic of Pakistan 1973 and it is for the competent authority to take decision in accordance with law.

8. Accordingly, the petition is disposed of in the above terms. However, this shall not preclude the petitioners from seeking consideration of their case(s) by the competent authority in accordance with any applicable law or policy, if otherwise

permissible and just upon approach their case(s) may be considered in accordance with law, subject to available of post(s) and eligibility under the law.

JUDGE

JUDGE

Sajjad Ali Jassar