

THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 915 of 2026

[Abdul Razzaque Soomro v. Province of Sindh and others]

Before:
Justice Arbab Ali Hakro
Justice Muhammad Osman Ali Hadi

Petitioner : Abdul Razzaque Soomro, present in person

Respondents by : Mr. Saeed Ahmed Wassan, Assistant Advocate General Sindh

Date of Hearing : **09.09.2026**

Date of Decision : **09.09.2026**

ORDER

ARBAB ALI HAKRO, J. – Through the instant Constitutional Petition, the petitioner, being a person with disability, has invoked the constitutional jurisdiction of this Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking directions to the respondents for his appointment to a suitable post reserved under the 5% quota for persons with disabilities, in accordance with his qualifications and eligibility.

2. The petitioner, appearing in person, submits that he holds a valid Disability Certificate and has repeatedly approached the relevant authorities for his appointment under the reserved quota, but his grievance has not been redressed. He further submits that the statutory 5% quota is required to be implemented in its true letter and spirit and that he may be considered for a suitable post available under the said quota.

3. Learned AAG Sindh, while opposing the petition, submits that appointments against the 5% quota are regulated by the Sindh Empowerment of Persons with Disabilities Act, 2018, applicable rules, Government policy, and the prescribed recruitment procedure. Referring to the comments of the Deputy Commissioner, Naushahro Feroze, he submits that various meetings of the District Recruitment/Selection Committee were held, and 263 persons with disabilities were recommended for appointment. He further submits that the petitioner did not appear before the District

Selection/Recruitment Committee on 17th and 18th November, 2025. Learned AAG further submits that, pursuant to the directions of the competent authorities, the vacancy position has been obtained from the concerned line departments after due verification, and the recruitment process for BPS-01 to BPS-04 posts has been initiated. According to the reports furnished by the departments, the 5% quota has been substantially utilised, while certain vacancies have been identified in the relevant departments for persons with disabilities, and recruitment proceedings in respect thereof have either been undertaken or are in progress. He submits that the respondents are taking steps to implement the reserved quota in accordance with law and that the petitioner may participate in any future recruitment process for which he is otherwise eligible.

4. We have heard the petitioner, who was present in person, and learned AAG Sindh, and have examined the material available on record.

5. The statutory reservation of posts for persons with disabilities is intended to ensure their meaningful participation in public employment, and consequently an eligible person is entitled to fair and lawful consideration for posts reserved for the said category. Such reservation, however, does not confer an automatic or indefeasible right to appointment. Appointment can only follow selection by the competent authority for an available post and in accordance with the prescribed law, rules and procedure.

6. In the present case, the respondents have placed before the Court the steps taken to implement the reserved quota, including the constitution and meetings of the relevant selection committees, the obtaining of vacancy positions from the concerned departments, and the commencement of recruitment proceedings. The petitioner, on the other hand, has not demonstrated that he was finally selected or recommended for appointment against any identified vacancy, nor has he shown that his candidature was unlawfully excluded from any particular recruitment process.

7. The fact that the petitioner did not appear at the DRC/DSC meeting held on 17th and 18th November, 2025 may be relevant to that particular recruitment exercise. However, it cannot, by itself, deprive him of consideration in a subsequent recruitment process for posts reserved for

persons with disabilities, provided he fulfils the applicable eligibility requirements and follows the prescribed procedure.

8. The respondents have stated that recruitment proceedings for the reserved quota are in progress and that vacancies have been identified on the basis of the vacancy positions furnished by the concerned departments. They shall, therefore, complete the ongoing recruitment process in accordance with the law and the prescribed procedure without unnecessary delay, while ensuring that the statutory 5% quota is implemented in respect of the identified vacancies.

9. In view of the above, the petitioner has failed to establish any enforceable right to direct appointment without undergoing the prescribed recruitment and selection process. Accordingly, the instant Constitutional Petition is **disposed of**. The petitioner may, however, apply in any future recruitment process for posts reserved for persons with disabilities. If otherwise qualified and eligible, his candidature shall be considered strictly in accordance with the prescribed law, rules and procedure.

10. A copy of this order shall be forwarded to the Secretary, Services, General Administration & Coordination Department, Government of Sindh, Karachi, and the Deputy Commissioner, Naushahro Feroze, for information and necessary action in terms of paragraph 8 above.

J U D G E

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Abdul Basit