ORDER SHEET

# IN THE HIGH COURT OF SINDH AT KARACHI

CP.No.D-5526 of 2026

*(Muhammad Abdul Mannan-ul-Haq*

*vs.*

*District & Sessions Judge Karachi Central & others)*

| Date | Order with signature of Judge |
|---|---|

Before; Mr. Justice Muhammad Saleem Jessar;
Mr. Justice Abdul Hamid Bhurgri.

1. For orders on CMA. No. 29965 of 2026 (U/A).
2. For orders on office objection No. 1 to 3.
3. For orders on CMA. No.21957 of 2026 (Ex./A).
4. For orders on CMA No. 21958 of 2026 (Stay/Appln)
5. For hearing of main case.

**Date of hearing and order 13th November 2026**

Mr. Sadam Hussain, advocate for the petitioner.

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**Abdul Hamid Bhurgri, J:** Through this Constitution Petition, the petitioner has called in question the order dated 15.05.2026 passed by respondent No.1, whereby his representation concerning non-issuance of admit cards/roll number slips for the posts of Junior Clerk and Stenographer in the District Judiciary was declined. He further seeks a direction for conducting a fresh examination.

2. Briefly, the petitioner's case is that, pursuant to an advertisement issued for recruitment against various posts in the District Judiciary, he applied for the posts of Junior Clerk and Stenographer on 10.12.2025 and 11.12.2025, respectively, within the prescribed period. According to him, despite having submitted his applications and regularly checking the official portal of respondent No.2 (STS), he was not provided admit cards/roll number slips before the written examination held on 01.03.2026. He alleges that the admit cards were communicated to him on 04.03.2026, after the examination had already taken place, thereby depriving him of an opportunity to participate in the recruitment process. His representation dated 05.03.2026 was considered and rejected by respondent No.1 through the impugned order dated 15.05.2026, which he maintains is arbitrary, unlawful and contrary to the material available on record.

3. We have heard learned counsel for the petitioner and examined the material available on record, particularly the impugned order. It

appears that respondent No.1, after considering the petitioner's representation and obtaining comments from respondent No.2, found that the examination had been conducted in accordance with the notified schedule, that other candidates had obtained their admit cards and participated in the examination, and that no provision existed in the applicable recruitment framework for conducting a separate examination for an individual candidate. Although the petitioner disputes the timely issuance or communication of his admit cards, such allegation, by itself, does not establish that the entire recruitment process was unlawful or that respondent No.1 acted without jurisdiction, in violation of any mandatory provision of law, or in a manner warranting interference in constitutional jurisdiction. The petitioner has not demonstrated any statutory or enforceable legal right entitling him to a fresh examination, nor has any provision been brought to our notice imposing a corresponding legal obligation upon the respondents to conduct such examination.

4. It is settled law that judicial review of recruitment proceedings is confined to examining their legality, fairness and compliance with the applicable rules. This Court cannot substitute its own assessment for that of the competent authority merely because a candidate is dissatisfied with an administrative decision, unless illegality, arbitrariness, discrimination or violation of a legally enforceable right is established. In **Federal Public Service Commission** v. **Shiraz Manzoor and others (2023 SCMR 2087)**, the Hon'ble Supreme Court held that recruitment and selection policies formulated by the competent authority cannot ordinarily be substituted by a Court unless their implementation infringes vested rights or violates the law.

5. More importantly, the Hon'ble Federal Constitutional Court, in **Vice Chancellor, Shaheed Mohtarma Benazir Bhutto Medical University and others v. Altaf Hussain Somroo (F.C.P.L.A. No.14 of 2025, decided on 07.01.2026)**, has authoritatively held that the jurisdiction of High Courts under Article 199 of the Constitution must be exercised within the limits prescribed by law and that directions for holding special or supplementary examinations cannot be issued merely on considerations of equity, compassion or hardship in the absence of lawful authority. The principle laid down in the aforesaid judgment squarely applies to the relief sought by the petitioner.

6. Furthermore, the written examination was conducted on 01.03.2026, and the recruitment process has since substantially progressed. At this stage, directing a fresh examination on the basis of an individual grievance, without establishing any illegality affecting the recruitment process itself, would unnecessarily disturb the selection process and potentially prejudice other candidates who participated in accordance with the notified schedule. The principle of equality under Article 25 of the Constitution requires fairness to all similarly placed candidates and does not justify extending a special concession to one candidate in the absence of any legal entitlement. The impugned order, therefore, does not disclose any jurisdictional defect, patent illegality or arbitrariness calling for interference under Article 199 of the Constitution.

7. For the foregoing reasons, we find no merit in this petition, which is accordingly dismissed in *limine*, along with the listed applications.

JUDGE

JUDGE
HEAD OF THE CONST. BENCHES

SAJID