HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-2123 of 2025

[Muhammad Razman and another vs. Province of Sindh and others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE MUHAMMAD JAFFER RAZA

Petitioner:	Through Mr. Murtaza A. Arab advocate
Respondents:	Through Mr. Wali Muhammad Jamari Assistant A.G Sindh
Date of hearing	10.11.2026
Date of Decision	10.11.2026

O R D E R

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ADNAN-UL-KARIM MEMON J:- The petitioners, being differently abled persons, have filed the instant Constitutional Petition under Article 199 of the Constitution, seeking directions to the official respondents to issue their appointment orders against the posts of Naib Qasid (BPS-02) in Town Municipal Corporation, Paretabad, Hyderabad, pursuant to the recommendations of the District Recruitment Committee (DRC) made in its meeting dated 28.04.2025.

2. Learned counsel for the petitioners submits that, in compliance with the orders passed by the Honourable Supreme Court in Civil Petition Nos.966-K to 971-K of 2022, the petitioners were considered by the DRC headed by the Deputy Commissioner, Hyderabad, and recommended for appointment under the differently abled persons' quota. However, despite such recommendations, the respondent No.05 has failed to issue appointment orders without assigning any lawful justification. It is contended that the continued inaction of the official respondents is arbitrary, discriminatory and contrary to the directions of the superior Courts, leaving the petitioners with no alternate efficacious remedy.

3. Respondent No.04, Deputy Commissioner, Hyderabad, submits that, in compliance with the order dated 19.11.2024 passed by this Court, a meeting of the District Selection Committee was convened on 28.04.2025, wherein fourteen differently abled candidates, including the present petitioners, were recommended for appointment in accordance with the applicable rules and policy. It is further

submitted that the minutes of the meeting were issued with directions to respondent No.05, Town Municipal Corporation, Paretabad, Hyderabad, to issue offer/appointment letters to the recommended candidates. The matter was also formally communicated to respondent No.05 vide letter No.DC/Hyd/Estt/293 dated 22.05.2025. However, despite such recommendations and communications, respondent No.05 has neither issued appointment orders nor furnished any compliance report. Respondent No.04 maintains that he has duly complied with the Court's directions within his authority and that the responsibility for non-compliance rests solely with respondent No.05.

4. We have heard learned counsel for the petitioners and examined the available record. It appears that the petitioners, being differently abled persons, were duly considered and recommended for appointment against the posts of Naib Qasid (BPS-02) by the District Selection Committee in its meeting dated 28.04.2025, convened pursuant to the directions of this Court. Respondent No.04 has also placed on record the minutes of the meeting and subsequent communication dated 22.05.2025, whereby the recommendations were forwarded to respondent No.05 for issuance of offer/appointment letters. Thus, the role assigned to respondent No.04 appears to have been duly performed, whereas the failure of respondent No.05 to take the matter to its logical conclusion, despite receipt of the recommendations, remains unexplained.

5. Needless to observe that the recommendations of the DRC cannot be treated as an appointment in themselves; nevertheless, the competent authority is under an obligation to consider and process the recommendations strictly in accordance with the applicable recruitment rules, policy and law. The official respondents cannot keep the petitioners in a state of uncertainty through unexplained inaction, particularly when the matter relates to employment opportunities under the differently abled persons' quota and compliance with the directions of the superior Courts.

6. In view of the foregoing, this petition is disposed of with directions to respondent No.05, Town Municipal Corporation, Paretabad, Hyderabad, through its competent authority, to examine and process the recommendations of the DRC dated 28.04.2025 and take a reasoned decision regarding issuance of appointment orders to the petitioners, strictly in accordance with law, within a period of four weeks from receipt of this order. In case the petitioners are found eligible and no lawful impediment exists, the necessary appointment orders shall be issued without

further delay. In the event of any adverse decision, the same shall be supported by specific and cogent reasons and communicated to the petitioners.

7. Respondent No.04 stands discharged of his responsibility, subject to the above observations. Needless to state that the competent authority shall not disregard the recommendations of the DRC arbitrarily or without lawful justification.

JUDGE

JUDGE

Sajjad Ali Jessar