HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-106 of 2023

Present:-

Justice Adnan-ul-Karim Memon
Justice Muhammad Jaffer Raza

Rashid Khan & others ---------- Petitioners

VERSUS

Province of Sindh
& others ---------- Respondents

Date of hearing & decision: **15.10.2026**

Ms. Samina Ajmeri, advocate for the petitioners.
Mr. Mansoor Ahmed advocate for respondents.
Mr. Ayaz Ali Rajper, Assistant Advocate General.
Mr. Abdul Rauf, Deputy Secretary, Local Government.
Mr. Barkat Ali SO-III, Local Government.
Mr. Orangzeb Samo, Regional Director, Local Government.
Mr. Ayaz Ali Mallah, Town Officer, Taluka Ghulam Hyder.
Mr. Bilawal Mangi, Accounts Officer, TC, Tando Ghulam Hyder.

ORDER

ADNAN-UL-KARIM MEMON, J-. The petitioners seek release of their salaries from June 2022 onwards.

2. The learned counsel for the petitioners submit that they are government employees serving in various posts, including Junior Clerks (BPS-11), a Plumber (BPS-05) and Typists, initially posted at Town Committee Bulri Shah Karim and subsequently transferred to Town Committee Tando Ghulam Hyder, District Tando Muhammad Khan. She contend that they were duly appointed after completion of the requisite formalities, their service books were prepared, and salary accounts were opened, and they continued performing their duties diligently without any complaint. However, the respondents No.6 to 8 illegally and without assigning any lawful reason or issuing prior notice stopped their salaries from June 2022, which remain unpaid despite repeated approaches and legal notices. She further allege that the concerned officials demanded illegal gratification for releasing their salaries. She assert that withholding their lawful remuneration has caused severe financial hardship to them and their dependent families and constitutes mala fide exercise of authority and violation of their fundamental rights. Having no other efficacious remedy, they have invoked the constitutional jurisdiction of this Court, seeking a direction to the respondents to release their outstanding salaries from June 2022,

together with interest/markup, and to declare the impugned action illegal, unlawful and without lawful authority.

3. The respondents dispute their appointments and deny that they were ever their employees. The petitioners, however, have produced certain documents and bank statements, which prima facie show that salaries were credited to their accounts and loans were obtained from the concerned bank by them.

4. In view of the foregoing, since the respondents dispute the petitioners' employment status, while the documents and bank statements produced by the petitioners prima facie indicate that salaries were credited to their accounts, the controversy involves disputed questions of fact which cannot appropriately be resolved in these constitutional proceedings without proper verification of the relevant record.

6. Accordingly, the Secretary, Local Government, Government of Sindh, is directed to afford the petitioners and the concerned respondents an opportunity of hearing, examine the appointment orders, service books, payroll and other relevant record, and determine the genuineness of the petitioners' employment through a reasoned and speaking order, in accordance with law, within three weeks from receipt of this order.

7. In the event the petitioners are found to be genuine employees and their salary claims are established, the outstanding salaries and other admissible service benefits shall be released to them in accordance with law. The exercise shall be undertaken fairly, without being influenced by any observations made herein, which are tentative in nature.

8. The petition stands disposed of in the above terms, without expressing any opinion on the merits of the controversy.