

ORDER SHEET  
IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD  
CP No. D- 610 of 2015

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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16.02.2016

1. For Orders on MA 2177/16
2. For Orders on MA 1166/16
3. For Orders on Office Objection
4. For Katcha Peshi
5. For Orders on MA 686/16

Petitioner present in person

Mr. Allah Bachayo Soomro Addl.A.G. a/w Iftikhar Ahmed Rajput,  
OSD Litigation Director School Education, Hyderabad.

1. Urgency disposed of.
2. Dismissed being infructuous.
3. Deferred for the time being.

4&5. Petitioner's case is that she is a disabled person and is entitled to be appointed on such quota. She in response to a publication appearing in Daily Express dated 20.4.2012 applied in Education Department for the post of PST for Hyderabad in U.C.-13 Taluka Latifabad, Hyderabad on disabled quota. In written test, she was declared successful candidate but was not given posting order. After sometime she came to know about appointments of some other persons on the said quota. In the wake of which, she approached to respondent Nos. 2 and 3 for posting order but to no avail, hence finally she filed this petition for the same relief.

Learned A.A.G. has filed comments of respondent No.3 today which are taken on record.

Mr. Iftikhar Ahmed Rajput, OSD Litigation Director School Education, Hyderabad is present. He states that as per Teacher Recruitment Policy, 2012 the qualification for the appointment of post of Primary Teacher is intermediate with atleast 45% marks, (that is 2<sup>nd</sup> division) whereas the petitioners academic qualification of intermediate, shows she has less than qualified marks. With the assistance of Mr. Iftikhar Ahmed Rajput, we have calculated the marks of the petitioner. She has obtained 44.27% and is barely less than 0.63% of the required criterion of 45% marks. We are of the view

that this is a very slight difference, and keeping in view her disability, her case could be considered by the competent authority. Accordingly, we direct District Education Officer (Primary) to forward the case of petitioner to Chief Program Manager, Reform Support Unit for Secretary-II, Government of Sindh, Education Literacy Department NJV-M.A. Jinnah Road Karachi for consideration of her appointment as Primary School Teacher. We expect that while considering the case of petitioner, the competent authority will advert to the disability of the petitioner, the fact that in her written examination she obtained the highest marks and was placed at S.No.1 amid the successful candidates; and that she is just 0.63% less than required qualification, which appears to be condonable.

In above terms, this application is disposed of.

JUDGE

JUDGE

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