

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**

Constitutional Petition No. D-808 of 2024  
(Muhammad Farhan & others versus Government of Sindh & others)

Date	Order with signature of Judge(s)
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Before:

Mr. Justice Muhammad Karim Khan Agha

Mr. Justice Adnan-ul-Karim Memon

**Date of hearing and order:- 23.10.2025**

Mr. Ahmed Hussain, advocate for the petitioners

Ms. Saima Imdad Assistant Advocate General

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**ORDER**

**Muhammad Karim Khan Agha, J:**                      The petitioners have prayed  
as under:

1.        *To declare that the petitioners were initially appointed permanently on 19<sup>th</sup> Januray 2021 after due laws and procedures were followed by the Respondents and that the Respondents actions of handing the petitioners 89-days contract initially and compelled them to do their jobs without any contract starting from 19 January 2021 being continued till now are illegal, unconstitutional, void ab-intio.*
2.        *Direct the Respondent Nos. 1,2,3 and 4 to assess the petitioner's suitability for appointment on the subject posts by conducting their interview for consideration of their appointment regularly according to judgment dated 17.03.2023, in C.P. No. D-1691 of 2022 and also issue the salary of remaining period.*
3.        *Direct the Respondents Nos. 1,2,3 and 4 not to discriminate against the petitioners and to treat them equally and at par with the staff.*
4.        *Direct the Respondents their agents, subordinates or anyone acting in their name or on their behalf to maintain the status quo until this petition is disposed off and not to harass, intimidate act illegally against the petitioners.*
- Direct the respondents to issue salary of remaining months of the petitioners.*

2.        Brief Facts of the Case are that Services Hospital & Civil Surgeon, Karachi advertised various posts in newspapers and on its website, with the last date for submission of applications being 05.12.2020. The petitioners applied, were shortlisted, interviewed, and declared successful. Appointment letters were issued to them on 19.01.2021 for 89 days (non-extendable), though some received letters in different months of 2020 and 2021.

3.        Counsel for the petitioners contends that their appointments were made lawfully after a transparent recruitment process. The petitioners, serving as staff nurses and paramedical staff during the COVID-19 pandemic, worked diligently under high-risk conditions. Despite qualifying on merit, they were repeatedly offered only 89-day contracts. The respondents, instead of regularizing them, have re-advertised the same posts to favor other candidates. The petitioners claim this act is illegal, unconstitutional, and violative of their fundamental rights under Articles 4, 5, and 9 of the Constitution, and seek regularization of their services.

He further argued that as per the Sindh Cabinet meeting held on 07.08.2025, it was decided to extend the services of 2,423 COVID-19 technical and supporting staff at vaccination centers from July 2024 to June 2025, with an allocation of Rs. 530.637 million, and to terminate their services w.e.f. 30.06.2025. Similarly, 235 staff at five tertiary hospitals and 88 staff at Services Hospital Karachi were granted extensions with allocated funds of Rs. 112.560 million and Rs. 61.600 million, respectively. Out of 423 staff, 335 were to be terminated, while 68 technical staff were allowed a one-year extension July 2025–June 2026 or until regular appointments are finalized. However, the Cabinet clarified that these extensions do not confer any right to regularization, and that a minimum salary of PKR 40,000 shall be paid prospectively to underpaid employees. Learned counsel submitted that petitioners No.2,8,9,12,14 and 20 and their tenure have been extended till regularization. However rest of the petitioners service have been terminated vide letters dated 9.9.2025. he prayed to allow this Petition.

4. The Assistant Advocate General argues that the petitioners were hired purely on a “Service Rendered Basis” for 89 days, with extensions granted only during the COVID-19 emergency. After the pandemic was declared over on 14.10.2022 (Finance Department letter dated 26.07.2023), their services were no longer required. It is the government’s prerogative to formulate recruitment policies, including quota reservations. The petition, she contends, is based on mala fide intentions and should be dismissed.

5. After considering the submissions of both parties and the record, it appears that the petitioners were appointed on a purely temporary basis for 89 days during the COVID-19 emergency, on a “*services rendered*” basis, with no assurance or policy of regularization. The Government of Sindh, through its subsequent Cabinet decision dated 07.08.2025, clearly stated that any extensions granted to such contractual staff would not create any right to regularization. Since the emergency situation has ended and the continuation of such temporary arrangements lies within the policy discretion of the government, this Court finds no illegality or violation of fundamental rights in the respondents’ decision to discontinue or re-advertise the posts. Accordingly, the petition is dismissed as being without merit, with the observation that the petitioners may apply afresh whenever regular recruitment is undertaken under the relevant rules and procedures.

HEAD OF CONST. BENCHES

JUDGE