

**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

C. P No. D- 288 of 2023

Date of hearing	Order with Signature of Judge
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**Fresh case**

1. For orders on CMA No.1333/2023 (U/A)
2. For orders on office objection at flag 'A'
3. For orders on CMA No.1334/2024 (Ex.A)
4. For hearing of main case

**22.10.2025**

None present for the Petitioner

**ORDER**

The Petitioner, through present petition has sought directions for her appointment for the post of Primary School Teacher (PST) from Union Council Molhan, Taluka Bhiria, District Naushahro Feroze in School Education and Literacy Department, in the recruitment process allegedly initiated by the respondents in the year 2012. The instant petition, however, has been instituted in the year 2022. It is evident that the petitioner has approached this Court after an extraordinary and unexplained delay. The petitioner remained inactive for more than a decade without furnishing any cogent explanation.

It is a settled principle of law that delay and laches defeat equity. A person who sleeps over his rights and approaches the Court after considerable lapse of time cannot invoke constitutional jurisdiction under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973. The constitutional jurisdiction being discretionary cannot be invoked where the petition suffers from unexplained delay. The stale claims should not be entertained through constitutional petitions as doing so unsettles settled matters and prejudices vested rights of others. Laches not only manifest negligence on part of a litigant but also operate as a bar on the Court in extending discretionary relief, as such indulgence would encourage indiscipline in service matters and open floodgates of litigation.

Applying the aforesaid principles to the present case, it is manifest that the petitioner neither possess any vested right to appointment nor can she be permitted to agitate a recruitment process of the year 2012 after the lapse of more than a decade. This indolence disentitles her to claim any relief under Article 199 of the Constitution.

It is equally well-settled that mere participation in a recruitment process or even qualifying tests/interviews does not create an indefeasible right of appointment. The competent authority retains discretion, subject to rules and availability of posts. Hence, the relief sought is misconceived.

In view of the above discussion, we hold that the instant petition is hopelessly barred by laches, devoid of merit, and is accordingly dismissed.

Judge

Judge

ARBROHI