

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

CP No. D- 169 of 2023

[Rashid Ahmed Ghouri & others v. Province of Sindh & others]

BEFORE:

MR. JUSTICE ADNAN-UL-KARIM MEMON
MR. JUSTICE RIAZAT ALI SAHAR

Petitioners: Through Ms. Nadia Memon, Advocate

Respondents: Through Mr. Kashif Hussain Leghari, Advocate,
along with Irshad Ahmed Unar, Administrator,
TMA Bulri Shah Karim

Mr. Rafiq Ahmed Dahri, Asstt: A.G., along with
ASI Yousuf Basra, PS Bulri Shah Karim Tando
Muhammad Khan.

Date of hearing:
& Decision: 25.11.2025

ORDER

ADNAN-UL-KARIM MEMON, J. - The petitioners have filed this Constitutional Petition seeking release of their past salaries and regular payment of future salaries on the analogy that they were appointed to various low-grade posts at Taluka Municipal Administration, Bulri Shah Karim, joined duties, had service books and salary accounts, and were initially paid. However, their salaries were suddenly stopped; despite repeated requests to the authorities the same were not released.

2. In response, the Administrator of Town Committee Bulri Shah Karim stated that the appointments of certain petitioners i.e. Petitioner Nos. 2, 10, 15, 19, 20, 25, 30, 31, 33, 37 and 40 are fake, as they were allegedly appointed in 2011 but received their first salary in 2020-21. The petitioners need to submit bank statements to verify salary receipts after nine years. Petitioners 1 and 34 have been transferred to other committees and thus have no cause of action. The Administrator further submitted that salaries were illegally paid in connivance with officials due to fake appointment letters, and service records are unavailable; hence, payments were stopped from December 2022. The Administrator prayed for dismissal of the petition.

3. Learned counsel for the respondents submitted a statement and emphasized that, in compliance with the office order dated 06-05-2015, a committee was constituted to review the employment records of Town Committee employees in light of concerns over excessive recruitment since 2009. Many appointments had reportedly been made without completing codal formalities or obtaining the required administrative approvals. The committee found that out of 710 employees who submitted their documents for verification, only 592 participated in the process. Most appointment orders were issued on single date i.e. 04-11-2009, by the then Taluka Municipal Officer, without following proper procedures or having a sanctioned budget, raising doubts about the authenticity and justification of these appointments. Considering the small size of Tando Ghulam Hyder and the absence of an approved budget, the number of appointments was deemed excessive. The employees were classified into four categories:

Category I: Original employees of the defunct Taluka Municipal Administration, allowed to continue their service.

Category II: Employees recruited through District Recruitment Committee (DRC) in 2012, whose appointments are subject to verification by the Local Government Department.

Category III: Employees appointed through Local Government Department, also subject to verification.

Category IV: Employees unable to provide valid appointment documents, recruited without a sanctioned budget; these appointments were considered fake or bogus and referred to the Local Government Department for further action.

4. The committee recommended that employees in Categories I, II and III may continue their service, subject to verification, while cases of Category IV employees should be decided by the Local Government Department. Additionally, the records of all employees permitted to continue should be audited by the Local Audit Fund before the release of their salaries.

5. The petitioners seek release of past salaries and regular payment, claiming they were appointed to low-grade posts at Taluka Municipal Administration, Bulri Shah Karim, joined duties and initially received salaries, which were later stopped. However, the Administrator contended that the appointments are fake. As per office order dated 06-05-2015, a committee reviewed Town Committee employment records due to excessive recruitment since 2009. Out of 710 employees 592 participated. Most appointments were issued on 04-11-2009 without following procedures or budget raising doubts about authenticity.

6. After hearing the parties and examining the record, this court in such circumstances of the case dispose of this Petition directing Secretary, Local Government Department, Government of Sindh, to review the recommendations of

the committee as discussed supra and independently scrutinize the appointments of the petitioners. If any petitioner's appointment is found to be genuine, their past and current salaries shall be released forthwith. This exercise shall be completed within three months from the date of this order, after providing a meaningful hearing to them.

JUDGE

JUDGE

Karar_Hussain/PS*