

# HIGH COURT OF SINDH CIRCUIT COURT, HYDERABAD

**C.P. No. D- 1401 of 2023**

[Dr. Hamid Ahmed Qureshi & others v. Province of Sindh and Others]

**BEFORE:**

**JUSTICE ADNAN-UL-KARIM MEMON**  
**JUSTICE RIAZAT ALI SAHAR**

Mr. Noorul Haq Qureshi, Advocate for Petitioners

Mr. Rafique Ahmed Dahri, Assistant A.G. Sindh, along with Dr. Zahid Hussain Khoso, Deputy Director, Syed Abdullah Shah Institute of Medical Sciences, Sehwan.

Date of hearing & decision: 27.11.2025

## **ORDER**

**ADNAN-UL-KARIM MEMON J.-** The petitioners, through the instant Constitutional Petition, have prayed as under:-

- a) The case of the petitioners may be declared as similar to all sister departments referred in para supra, and they are also required to be treated similarly in view of Article 25 of the Constitution of the Islamic Republic of Pakistan, considering the COVID-19 regularization of other sister organizations.*
- b) In pursuance of said declaration, this Honourable Court may kindly be pleased to direct the respondents to process the case of the petitioners for their regularization, which has been stuck up mala fidely otherwise issue directions for the regularization to be issued.*
- c) This Honourable Court may be pleased to direct the respondents regarding the entitlement of all the petitioners for COVID-19 Health Risk allowances in accordance with Finance Department letter No.FD(SR-III)5-772/2020 dated 09-07-2020, for which they were kept on hopes given to others, but petitioners have since been deprived, therefore it should be paid as their legitimate right after due calculation in view of the office correspondence.*
- d) This Honourable Court may kindly be pleased to direct the respondents not to initiate any adverse view in retaliation by using their official status.*

2. The case of the petitioners is that they were hired on contract at the Syed Abdullah Shah Institute of Medical Sciences, Sehwan; that after the Sindh Regularization Act, 2018 (Sindh Act No. XIII of 2018) and a subsequent Health Department's notification regularizing project employees, the petitioners applied to the Chief Minister for their own regularization; that their request was forwarded to

the Health Department, which sought employee details on 12.09.2018; that although the required information was submitted, no further action was taken.

3. The petitioners' counsel claim this inaction is discriminatory and violates Article 25, prompting them to file this petition under Article 199 of the Constitution.

4. Respondent No. 5, Dr. Muhammad Moinuddin Siddiqui, Director of the Institute, stated in his comments that all appointments at the Institute are purely temporary, made on a need-basis with proper advertisement and interviews, and paid on lump-sum packages approved by the Board of Directors (BoD). He submitted that the BoD has already rejected requests for regularization. In its 7th meeting, the BoD only approved COVID-19 risk allowances for relevant staff, while the COVID-19 doctors were later regularized through the Sindh Public Service Commission after assessing their suitability.

5. After examining the submissions of both sides in light of the Sindh (Regularization of Employees) Act, 2018. The pivotal question is whether the petitioners fall within the ambit of the said Act and the notifications issued thereunder regarding the regularization of project employees. This determination requires a factual assessment of the nature of the petitioners' appointments, the status of the Institute, and the scope of the Act as applied to similarly placed sister organizations.

6. Accordingly, the Secretary of Health, Government of Sindh, is directed to convene a meeting with the Board of Directors of the Syed Abdullah Shah Institute of Medical Sciences, Sehwan, and to examine the petitioners' cases strictly within the parameters of the Act of 2018 and other applicable laws and policies. The competent authority shall determine whether the petitioners are eligible for regularization and shall take a reasoned decision on the matter as recommended by the competent authority.

7. The above exercise shall be completed within three months from the date of this order. The decision taken shall be communicated to the petitioners forthwith. A copy of this order shall be forwarded to the Secretary of Health and the Head of the respondent Institute for compliance.

JUDGE

JUDGE