

**HIGH COURT OF SINDH, CIRCUIT COURT,  
HYDERABAD**

**C.P. No. D-1853 of 2024**

[Ameer Ali and another vs. Province of Sindh and Others]

**BEFORE:**

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

Petitioners:	By M/s Muhammad Zakria and Lala Imtiaz Pathan advocates
Official respondents:	By Mr. Rafique Ahmed Dahri Assistant A.G Sindh a/w D.G PITE Shuhabuddin
Private respondent No.6:	By Mr. Muhammad Jamil advocate
Private respondents 7to12:	Nemo
Date of hearing:	22.12.2025
Date of decision:	22.12.2025

**ORDER**

**ADNAN-UL-KARIM MEMON, J:-** Through the present petition, the petitioners, who are Primary School Teachers, have challenged the Order dated 17.10.2024, whereby they were repatriated to the District Education Officer, Shaheed Benazirabad.

2. Learned counsel for the petitioners submits that they were appointed by the District Education Department Nawabshah in 2010 and their services were subsequently placed at the disposal of PITE due to staff shortages. They were later regularized by PITE, and seniority lists were issued in 2022, followed by promotion to JST/JEST on 19.07.2023. However, vide Order dated 17.04.2024, the petitioners were repatriated to the District Education Department without any reason.

3. None appeared for private respondents No.7 to 12. Counsel for respondent No.6 contended that respondent No.6 was appointed on a disabled quota in 1999, later transferred to PITE in 2001, and has been serving there lawfully since then, subject to certain conditions. It was further contended that the petitioners have no locus standi and have filed the petition out of personal grudge.

4. Learned AAG submitted that the petitioners, being civil servants of the Schools Education Department, cannot claim absorption in PITE as a matter of right. Identical issues have already been considered by this Court in C.Ps No.D-2862 of 2013, 791 of 2011, and 3184 of 2021, and were disposed of in line with Supreme Court principles that absorption is not permissible under law. It was further submitted that the petitioners were never permanently retained by PITE and the Order dated 16.11.2022 is contrary to law and rules; therefore, the petition is not maintainable.

5. We have heard the learned counsel for the parties and perused the record.

6. In view of the above, it is apparent that the petitioners, being civil servants of the Schools Education Department, cannot claim absorption in PITE as a matter of right. The repatriation order dated 17.10.2024 merely restores them to their parent department and does not violate any legal or service rule. Identical issues have been consistently adjudicated by this Court in C.Ps No.D-2862 of 2013, 791 of 2011, and 3184 of 2021, following the principles laid down by the Supreme Court that absorption into another department without lawful authority or permanent regularization is not permissible.

7. Before parting with this order it is noted that the government of Sindh is still continuing to absorb the officers without lawful justification in violation of the Decision of Supreme Court as such the Chief Secretary Sindh is directed to ensure the compliance of the orders passed by the Supreme court in absorption cases by calling upon each and every department to submit their report and after their report pass appropriate order in terms of Decision of Supreme Court.

8. Accordingly, the petitioners have no legally sustainable grievance, and the petition, being devoid of merit, is dismissed with pending application(s)

JUDGE

JUDGE