

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
MIRPURKHAS**

C.P. No.D-602 of 2025

[Kamran and another vs. Province of Sindh & others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON.

JUSTICE RIAZAT ALI SAHAR.

Mr. Iftikhar Hussain Tareen, Advocate for the petitioner.

Mr. Muhammad Sharif Solangi, Assistant Advocate General, Sindh, along with Najamuddin Memon, AXEN Tubewell division No.II/sub-division Tando Adam.

Mr. Shahzado Saleem Nahiyoona, Additional P.G.

Date of hearing& decision: 10.12.2025.

ORDER

ADNAN-UL-KARIM MEMON, J.- In their prayer, the petitioners requested that this Court direct the respondents to immediately issue their appointment orders for the posts they had been offered, restrain the respondents from appointing any other candidates to those posts until the final decision of this Petition, award costs against the respondents, and grant any other relief deemed just and proper.

2. The case of the petitioners is that Irrigation Department had announced vacancies for various lower-grade posts. They claimed to have applied for these posts in accordance with their qualifications, with the approval of competent authority, upon the recommendation of District Selection Committee (DSC), Sanghar and following all the required Standard Operating Procedures as directed by the SGA&CD through letter No. SOV(SGA&CD)/8-27/2019 (pt file) dated 26.04.2023, they were issued offer letters; that the Petitioners submitted all the necessary documents and completed the required formalities as per the offer letters. However, despite repeated follow-ups and the passage of over a year, they have not received their appointment orders. They claimed that, being from economically disadvantaged and marginalized backgrounds with no political influence or wealth, they were being deliberately denied their appointments under one pretext or another. The petitioners further alleged that, in some cases, other candidates had received their appointment orders, indicating that the petitioners were malafidely discriminated against. This, they argued, violated their constitutional guarantees under the Constitution of Islamic Republic of Pakistan, 1973. Due to non-appointment, the petitioners asserted that they were facing significant hardship as they remained unemployed. Despite submitting applications to higher authorities, the petitioners claimed that their grievances were ignored. Considering these circumstances, they described themselves as "aggrieved persons" under Article 199 of the Constitution, claiming that their fundamental rights had been infringed; hence they have filed the instant Petition.

3. In response, learned Additional Advocate General submitted that the Department had initiated a walk-in interview for non-technical posts (BPS-01 to BPS-04), which was widely publicized. However, the walk-in interviews, conducted on 16.06.2023 under Deputy Commissioner Sanghar's directions vide Letter No. Estt/DC/SGR/559/2023, were conducted in the presence of duly constituted committee comprising representatives from SGA&CD, the Executive Engineer (DDO), and Deputy Commissioner (Chairman, DSC). After the interviews, a list was submitted to the Deputy Commissioner for further action. However, the Executive Engineer issued offer letters to 69 candidates on 08.08.2023, despite only 51 vacancies being advertised, making these appointments unauthorized and irregular. Moreover, the original advertisement restricted eligibility to candidates from Taluka Tando Adam and Taluka Jam Nawaz Ali, while discrepancies were observed between the official interview list and those receiving offer letters. It was further highlighted that some petitioners had connections with the Executive Engineer, raising concerns about merit and transparency. Additionally, the offer letters attached by the petitioners differed materially from the official format, indicating that the documents submitted were fabricated. The respondents denied that the petitioners completed all codal formalities, submitting that Petitioners Kamran and Junaid had not applied formally. Specifically, Junaid was only offered the post of Tube Well Chowkidar (BPS-02), not Darogha. They denied any discrimination or undue hardship, stating that the recruitment process was subsequently withdrawn by the Chairman of the Committee, Deputy Commissioner Sanghar, through letters dated 09.08.2023, and a public notice was issued on 24.08.2023 canceling all appointments issued on 08.08.2023, in compliance with the High Court's directions. In light of these facts, learned AAG prayed that since the recruitment process had been withdrawn, no action should be taken at this stage, and the petition should be dismissed for concealing material facts and relying on fabricated documents.

4. In view of the above submissions, this Court is of the view that the recruitment process, as initiated by the Irrigation Department, requires thorough scrutiny in light of the recent decision of the Provincial Cabinet regarding appointments to lower-grade posts.

5. Accordingly, the candidature of the petitioners shall be examined and scrutinized by the competent authority within one month. If, after such scrutiny, the petitioners are found to be genuine and in accordance with the prescribed eligibility criteria, they shall be issued formal appointment letters in terms of the offer letters already issued to them and shall be allowed to join their respective duties forthwith.

6. With these directions, this petition stands disposed of.

JUDGE

JUDGE