HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-2253 of 2025

[Sajjad Ali Pirzado Vs Province of Sindh & others]

Before:
Justice Adnan-Ul-Karim Memon
Justice Muhammad Jaffer Raza

Petitioner:	Nemo
Official Respondents:	By Mr. Rafiq Ahmed Dahri, Addl. A.G & Mr. Ghous Bux, Special Prosecutor, NAB along with Dr. Mudassar Hussain, DHO Shaheed Benazirabad.
Date of hearing	28.10.2026
Date of Order	28.10.2026

O R D E R

***

ADNAN-UL-KARIM MEMON, J:- Petitioner, Sajjad Ali Pirzado, filed this constitutional petition seeking removal of non-cadre officers/respondents No.6 and 7 from their posts in compliance with the Supreme Court's orders and an impartial inquiry into alleged misuse of authority, embezzlement, fake contingent bills, and professional harassment.

2. The case of the petitioner is that he was appointed as a Microscopist in 2010, and he called into question the alleged illegal appointments and other irregularities in the department. However, no one appeared on his behalf.

3. Respondent No.3, appearing in person, submitted that the petition was filed due to his refusal to sign pending liability bills relating to medicines and POL without proper justification, which triggered the cause for the petitioner to file the instant petition. He prayed to dismiss the petition being non-maintainable under Article 199 of the Constitution.

4. Learned AAG rebutted the petitioner's allegations for want of supporting documentary evidence and submitted that the controversy primarily involves departmental matters and disputed questions of fact, which cannot appropriately be adjudicated in constitutional jurisdiction under Article 199 of the Constitution. He supported the stance of respondent No.3 and prayed for dismissal of the petition as not maintainable.

5. We have considered the available record and the submissions advanced by respondent No.3 and learned AAG present in court.

6. The petitioner has sought removal of the alleged non-cadre officers and an inquiry into the allegations of misuse of authority, embezzlement and other departmental irregularities; however, no one has appeared on his behalf to substantiate the allegations, nor has any supporting documentary material been brought to the Court’s notice to establish violation of any enforceable legal right or statutory duty.

7. The allegations, being disputed in nature and pertaining primarily to departmental affairs, require factual inquiry and examination of relevant records by the competent authorities. The constitutional jurisdiction under Article 199 of the Constitution cannot be invoked as a substitute for such an inquiry in the absence of sufficient material demonstrating that the impugned actions are without lawful authority or suffer from any jurisdictional defect.

8. Consequently, no grounds for interference in exercise of the constitutional jurisdiction are made out. The petition is, therefore, dismissed as not maintainable, without expressing any opinion on the merits of the allegations.

J U D G E

J U D G E

Irfan Ali