HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-1127 of 2026

[Sanam Vs. Province of Sindh & others]

Before:

Justice Adnan-Ul-Karim Memon
Justice Muhammad Jaffer Raza

Petitioner:	Through Mr. Zohaib Jamali, advocate.
Official Respondents:	By Mr. Rafiq Ahmed Dahri, Addl. Advocate General along with Shahzad Ali Jat, Assistant Education Officer (P) Badin.
Date of hearing	27.10.2026
Date of Order	27.10.2026

ORDER

***

ADNAN-UL-KARIM MEMON, J:- The petitioner, Sanam, has filed the instant Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking the following reliefs:

> *"a. DECLARE that the inaction, omission, and delayed conduct of the Respondents in failing to process and finalize the Petitioner's application for appointment under the deceased quota is illegal, arbitrary, discriminatory, and without lawful authority, violating the fundamental rights guaranteed under Articles 4, 9, 18, 25 and 35 of the Constitution of the Islamic Republic of Pakistan, 1973.*
>
> *b. DECLARE that the Petitioner has a vested and accrued right to be considered for appointment against the deceased quota under Rule 11-A of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, which is fully protected by the recent statutory proviso and the binding precedents of the superior courts.*
>
> *c. DIRECT Respondents to immediately place the Petitioner's case before the District Recruitment Committee (DRC) Badin for consideration.*
>
> *d. DIRECT the Respondents to issue an appointment order to the Petitioner for the post of Primary School Teacher (PST) or any other suitable lower grade post (BPS-01 to BPS-15) under the deceased quota, within a specific timeframe as fixed by this Honourable Court.*
>
> *e. GRANT any other reliefs) which this Honourable Court may deem fit, just, and proper under the circumstances of the case, along with the costs of this petition."*

2. It is the case of the petitioner that her father, namely Bashir Ahmed, was appointed as a Primary School Teacher and was issued an offer order on 06.11.1990. He

was subsequently posted at Government Boys Primary School, Haji Khan Nizamani, vide order dated 15.06.1992. He died during service on 30.10.2014. Thereafter, the petitioner applied for appointment under Rule 11-A of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, claiming entitlement to consideration for appointment under the deceased quota. However, in view of the judgment of the Hon'ble Federal Constitutional Court in the case of *Province of Sindh v. Muhammad Rizwan Khan and others (FCPLA No. 508 of 2025 and connected matters)*, the petitioner seeks reconsideration of her candidature in accordance with the law, as amended and applicable to her case.

3. Learned Addl. Advocate General submits that the respondents have constituted a committee before which all cases of candidates seeking appointment under the deceased quota shall be considered in accordance with the applicable law and policy, as well as the judgments of the Hon'ble Supreme Court of Pakistan and the Hon'ble Federal Constitutional Court.

4. When confronted with the aforesaid statement, learned counsel for the petitioner submits that the petition may be disposed of in terms of the statement made by learned AAG. Let the aforesaid exercise be completed within three weeks.

5. The petition stands disposed of in the above terms, without touching the merits of the case.