

HIGH COURT OF SINDH CIRCUIT COURT, HYDERABAD

C.P No.D-1671 of 2025

[Iqra Channa vs. Province of Sindh and Others]

BEFORE:

JUSTICE ADNAN-UL-KARIM MEMON

JUSTICE RIAZAT ALI SAHAR

Mr. Shoaib Ali Narejo Ali, advocate for petitioner(s)

Mr. Rafique Ahmed Dahri, Assistant A.G. Sindh a/w Deputy
Director SPSC (Akhlaque Ahmed)

None present for the private respondents

Date of hearing & decision: 20.11.2025

ORDER

ADNAN-UL-KARIM MEMON J.- Through this petition, the
petitioner prayed for the following relief(s):-

- 1. That this Honorable Court declare that the final result/ press release issued dated 28.07.2025 with reference No: PSC. EXAM(S.S) 2025 /1124 by Sindh Public Service Commission of the Interview / Viva Voice as well as the recruitment process be declared as null and void.*
- 2. That this Honorable Court may direct the respondents to produce interview dockets before this Hon'ble Court, along with video/audio footage of the petitioner's interview dated 23-07-2025.*
- 3. That respondent may be directed to produce interview dockets before this Hon'ble Court, along with video/audio footage dated 21.07.2025 to 23-07-2025.*
- 4. This Honorable Court may kindly be pleased to direct the Respondent No. 4, 5 to reschedule the Representation Appeal of Petitioner, and after appearance, declare/announce the marks of Petitioner, and produce before this Honorable Court.*
- 5. That the Secretary SPSC be directed to retake the interview Viva Voice with proper procedure, announce the result of the Petitioner, and disclose it publicly.*

6. *That the Honorable Court may kindly be pleased to restrain the respondent No: 4 5 6 and 8 not to issuing any letter for recommendation /appointment to respondent No: 7, without announcing the result of the petitioner in Vivo voice and order in the representation recruitment process be stayed until final disposal of this petition.*
7. *That any other relief, which this Honorable Court deems fit, may be awarded to the petitioner.*

2. Learned counsel for the petitioner submits that through Advertisement No. 06 of 2024 dated 19.07.2024, the respondent SPSC invited applications for recruitment to the post of ASI (BS-09) in the Home Department, Government of Sindh. The petitioner applied for the said post under the women quota from Hyderabad Region, where 68 seats were available, 27 for urban areas and 41 for rural areas. The petitioner, after qualifying the physical fitness test, was called for the written examination, in which she secured 65 out of 100 marks. Subsequently, the petitioner submitted the requisite documents to the SPSC and was called, along with other candidates, for the interview/viva voce. Although the petitioner appeared and answered all questions satisfactorily, she was with malafide intent, declared to have failed in the interview. The petitioner then submitted a representation under Regulation No. 161 of the SPSC Regulations. However, without issuing any notice to her, the representation was fixed before the Secretary SPSC at the Regional Office Karachi on 20.09.2025, and the petitioner was informed telephonically only a day in advance. Due to heavy rain and a public holiday declared on 20.09.2025, the petitioner could not attend the hearing. Despite this, the respondent SPSC, with malafide intent, issued recommendations for the appointment of various candidates without deciding the petitioner's representation, which is claimed to be illegal. Counsel seeks that the final result issued on 28.07.2025 be declared null and void and that the respondent SPSC be directed to produce the interview dockets along with audio/video recordings before this Court and, after review, either conduct a retake of the petitioner's interview or, alternatively, reschedule the hearing of her representation and pass a speaking order after hearing her.

3. No one appeared on behalf of the private respondents. Learned AAG, however, submits that while the petitioner qualified for the physical and written tests, she did not qualify for the interview, failing to achieve the required merit. The petitioner secured 100 marks, whereas the recommended candidates obtained 107 marks. The petitioner's representation was subsequently fixed before the Member (Appeals) SPSC, who, vide order dated 02.10.2025, passed a speaking order after hearing the petitioner. Learned AAG contends that if the petitioner remains aggrieved, she may seek redress before the competent forum in

accordance with the law. He further submits that this petition is not maintainable and is liable to be dismissed.

4. The appellate order reflects the current position of the case. It indicates that the petitioner's representation was heard by the Member (Appeals) of the SPSC, who passed a speaking order after considering the petitioner's submissions. The order clarifies the merit-based outcome and the procedural steps taken, showing that the petitioner's grievance was addressed within the SPSC framework. For convenience sake an excerpt of the order is reproduced as under:-

“The order shall dispose off a representation under Regulation 161 of Sindh Public Service (Recruitment Management) Regulations 2023 (RMR-2023) by Ms. Igra Channa do Muhammad Noosa Channa, a candidate for the post of Assistant Sub Inspector of Police (AT) (BPS-In Home Department, Government of Sindh seeking redressal for her grievance of having not been recommended for appointment by Sindh Public Service Commission (Commission/SPSC), The applicant was called for personal hearing on 15.09.2025. During the hearing, the applicant informed that they had scored 65 marks in the written test and had performed very well in the interview. Only one Member of the interview committee asked me questions while the other remained silent. The last recommended candidate in her category was selected on 106 aggregate marks. She wondered, she could not get even 41 marks in the interview! I have listened to her contentions with care and empathy. A report about her marks in the interview was obtained from the Controller of Examinations SPSC, who has reported vide his letter dated 17 September 2025 that the applicant Igra Channa d/o Muhammad Moosa, has been awarded 35 marks by the Interview Committee. So now, as it emerges, it is the case of the candidate having been assigned lesser marks than her competitors by the interview committee and, as such, having not been recommended for appointment on merit. One, as a human being, may be moved by the emotional appeal of an aggrieved candidate but the law and its Interpretation work on cold logic, and in that, for the purpose of my order on her application, I rely on the Hon'ble Supreme Court of Pakistan in the case reported in 2014 SCMR 157, Muhammad Ashraf Sangri versus Federation of Pakistan and others. Alongside that, recourse is also made to the order passed by Hon'ble High Court of Sindh dated 07.04.2020 in Constitutional Petition No. D-6868 of 2019. In its order Hon'ble High Court of Sindh has placed reliance on two orders of Hon'ble Supreme Court of Pakistan one, as cited above, and the other, reported in 2011 SCMR 1198 Federation of Pakistan through Secretary Establishment Division v. Ghulam Shabbir Jiskani. The crux of the orders as mentioned above is that the Interview is a subjective assessment and that it was not possible for a court of law to substitute its own opinion for that of the Interview Board - In the instant case, it is the Interview committee of SPSC. While the superior courts of the country have declined interference in the findings of the Interview committee, It shall be absolutely injudicious and inappropriate for me to challenge the validity of the

opinion firmed up by the committee in not recommending the applicant for appointment. Accordingly I have no legal latitude other than to, reject her representation.”

5. The petitioner, Ms. Iqra Channa, applied for the post of ASI (BS-09) under the women quota from Hyderabad Region. She successfully cleared the physical and written tests, securing 65 out of 100 marks in the written examination. However, she was awarded 35 marks in the interview, which was insufficient to secure a merit position for recommendation. The petitioner subsequently submitted a representation under Regulation 161 of the SPSC Regulations, 2023, alleging malafide conduct in the interview assessment. The SPSC appellate authority considered her representation, conducted a personal hearing, and issued a speaking order confirming the interview marks while noting that the interview constitutes a subjective evaluation. Supreme Court in the case of Muhammad Ashraf Sangri v. Federation of Pakistan (2014 SCMR 157) and Federation of Pakistan v. Ghulam Shabbir Jiskani (2011 SCMR 1198), establish that interviews are inherently subjective and that courts generally do not interfere with the assessment of interview committees unless there is clear evidence of mala fide intent or procedural irregularity. Mere disagreement with the marks awarded does not justify judicial intervention.

6. In the present case, the petitioner’s grievance centers solely on dissatisfaction with her interview marks. There is no evidence of procedural irregularity or mala fide conduct by the SPSC beyond the petitioner’s perception. The appellate authority followed due process by reviewing the marks, holding a personal hearing, and issuing a reasoned order. The SPSC’s decision is consistent with established legal principles regarding the non-interference in subjective interview assessments. Accordingly, the petitioner does not have a sustainable claim for judicial interference. She did not achieve the requisite merit for recommendation, and her appeal was properly considered and rejected in accordance with law.

7. In view of the above, this Court, applying the principles of law, upholds the decision of the SPSC. The petition is without merit; there is no justification to declare the final result null and void or to order a retake of the interview. This petition is therefore dismissed along with any pending applications.

JUDGE

JUDGE