

HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Before:

Justice Arbab Ali Hakro

Justice Muhammad Jaffer Raza

C.P No.D-195 of 2026

[Muhammad Faisal v. Province of Sindh and others]

C.P No.D-282 of 2026

[Sanwal Ali v. Province of Sindh and others]

Petitioners by : M/s Shaukat Ali Rahimoon and Sandeep Kumar Maheshwari, Advocates

Respondents by : M/s Ghulamullah Memon, Addl. A.G Sindh, Muhammad Sharif Solangi, Assistant A.G Sindh and Tariq Mehmood, Advocate

Dates of Hearing : **06.05.2026**

Date of Decision : **06.05.2026**

ORDER

ARBAB ALI HAKRO J:- Both these petitions concern the effect of the omission of Rule 11-A of the Sindh Civil Servants (Appointment, Promotion & Transfer) Rules, 1974 and the subsequent Notification dated 30.04.2026, which preserves all accrued rights of legal heirs of deceased civil servants prior to 26.09.2024.

2. In C.P. No. D-195 of 2026, the petitioner applied within two months of his father's death, a fact certified by the Municipal Committee, which recorded that Muhammad Faisal has applied for appointment against deceased quota within 02 months after the death of his father. His case was processed and forwarded through the proper administrative channel before 26.09.2024.

3. In C.P. No.D-282 of 2026, the petitioner's father expired on 24.04.2024, and the petitioner submitted his application on 24.09.2024. His particulars appear in the list forwarded by CPO Sindh, notwithstanding the departmental insistence on a succession certificate.

4. Recently, the Notification dated 30th April 2026, issued by the Services, General Administration & Coordination Department (Regulations Wing),

Government of Sindh, amends the legal position created after the omission of Rule 11-A, *ibid*. It expressly provides that where a right of employment had accrued prior to 26.09.2024, the legal heir shall not be deprived of the benefit accrued and shall be considered and decided at the level of the Administrative Department, on merit and in accordance with all provisions of omitted Rule 11-A *ibid*.

5. On the admitted facts, both petitioners' rights matured before the cut-off date. Their cases, therefore, fall squarely within the protective ambit of the saving proviso and cannot be defeated by the subsequent omission of Rule 11-A or by the interpretation rendered in **PLD 2024 SC 1276**.

6. In view of the statutory mandate contained in the Notification dated 30.04.2026, both matters are referred to the respective Administrative Departments, who shall consider and decide the petitioners' claims strictly in accordance with the saved Rule 11-A, the said Notification and the applicable service rules, by passing reasoned, speaking orders within a period not exceeding sixty days, from the date of receipt of this order. With these directions, both petitions stand **disposed of**.

The office is directed to communicate a copy of this order to the concerned Administrative Departments for compliance through all modes, including e-service.

JUDGE

JUDGE

Faisal