

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI

C.P. No.D-4345 OF 2014

DATE

ORDER WITH SIGNATURE(S) OF JUDGE(S)

Present

Mr. Justice Muhammad Ali Mazhar

Mr. Justice Abdul Ghani Soomro

Ali Bux Mangrio

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Petitioner

V E R S U S

Province of Sindh & others

Respondents

Date of hearing 26.08.2016.

Mr.Ahmed Ali Ghumro, Advocate for the Petitioner.

Mr.Abdul Jalil Zubedi, A.A.G.

Muhammad Ali Mazhar,J Through this petition the petitioner has challenged the letter dated 18.8.2016 (annexure-J), page-49 of the court file, which was written by Assistant Director, Local Government Karachi to the Secretary, Local Government Department, Government of Sindh, Karachi in connection with some fake appointments. In the letter he has mentioned 15 appointments of different persons and leveled allegation against the petitioner that he was involved in making fake appointments, therefore, he made a request to the Secretary, Local Government Department to take necessary action against the petitioner as per rules. Learned counsel for the petitioner argued that not a single appointment was made by the petitioner and in order to substantiate this plea he has also attached copies of appointment letters which was signed by the Assistant Director, Local Government Karachi. He further submits that in fact all appointments were made by the Assistant Director, Local Government, therefore, the allegation of making fake appointment against the petitioner is false and frivolous. On the contrary, the learned AAG argued that whether the petitioner has

issued the appointment letters or not this can only be proved during inquiry and for this purpose the matter was referred to for inquiry proceedings but the petitioner has filed this petition to stop inquiry proceedings.

2. On seeing different appointments letters, we are of the tentative view that the appointments letters were issued by the Assistant Director but no record is available to show that the petitioner in the capacity of Secretary, Union Council-02, Malir Town Karachi has signed any appointment letter and at the same time we are also of the view that to resolve this controversy inquiry is necessary for which the Assistant Director referred the matter to the Secretary, Local Government, Government of Sindh, Karachi. We are also of the view that the Assistant Director shall also be called by the competent authority in the inquiry proceedings and all such letters signed by him should be confronted to him. The learned AAG submits that inquiry may be concluded within 03 months to resolve this controversy. Learned counsel for the petitioner also agreed to this proposal.

4. As a result of above discussion, this petition is disposed of with directions to the Secretary, Local Government Department, Government of Sindh to conduct inquiry within 03 months and decide the matter after providing ample opportunity of hearing to the petitioner and he will also call the Assistant Director in the inquiry and confront all such appointment letters signed by him. The listed application petition is also disposed of.

Judge

Judge