

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P No.D-4301 of 2014

Date

Order with signature of Judge

Present

Mr. Justice Muhammad Ali Mazhar

Mr. Justice Abdul Ghani Soomro

Jehangir

.....

Petitioner

V E R S U S

Province of Sindh & others

.....

Respondents

Date of hearing: 02.09.2016

None present for the Petitioner.

Mr. Abdul Jaleel Zubedi, A.A.G

Muhammad Ali Mazhar, J: Nobody is present for the Petitioner. The Petitioner claims to be son of Shamsuddin Gopang deceased employee of District Shaheed Benazirabad, who was performing his duties as Naik/Peon in the Court of Civil Judge and Judicial Magistrate-III, Shaheed Benazirabad. His father was murdered on 15.01.2014, copy of FIR is attached. Since the Petitioner is the elder son, he applied for the post but his application was not considered, therefore, he has approached this Court for directions. He has also relied upon the Policy issued by the Administration Committee of this Court on 26th April, 1993 through Registrar. The decision of the Administration Committee reads as under:-

“After detailed exchange of views it was decided that the sons of retired as well as deceased employees of this Court should be shown some consideration by the selection committee if they are otherwise found fit and eligible for the job and who

may not otherwise become a liability on the establishment.”

The Respondent No.3 has filed para-wise comments in which it is clearly stated that the Petitioner applied for the job against some vacant vacancies announced through publication and he also appeared for the test on 25th April, 2015 but he could secure only 31 marks out of 100. Since he could not succeed in the test, therefore, his application for job was not considered. In paragraph No.12 it is further stated that the other children of retired and deceased employees had also applied and some of them had qualified such test and they were appointed. Learned District & Sessions Judge clearly stated that the Policy announced by the Administration Committee of this Court was applied in its' letter and spirit.

Since the learned District & Sessions Judge, Shaheed Benazirabad clearly stated that petitioner could not qualify the test, therefore, in our view apparently no illegality seems to have been committed nor any malafide has been attributed. The petition is dismissed. Copy of this Order may be transmitted to the learned District & Sessions Judge, Shaheed Benazirabad.

JUDGE

JUDGE