

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P.No.D-3041/2016

Date **Order with signature of Judge**

Present

Mr. Justice Muhammad Ali Mazhar

Mr. Justice Abdul Ghani Soomro

Muhammad Nawaz Khan & others.....Petitioners

V E R S U S

Government of Sindh & others.....Respondents

Date of hearing: 06.09.2016

M/s. Nadeem Anwar Shaikh and Syed Shoa-un-Nabi,
Advocates a/w Petitioners.

Mr. Iqbal Khurram, Advocate for KMC.

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

Shaikh Liaquat Hussain, Standing Counsel.

Mr. Ahmed Zameer Khan, Adv./Legal Advisor DMC West.

Mr. Sarwar Ali, Legal Advisor, DMC Korangi.

Mr. M. Aqil Zaidi, Legal Advisor DMC Malir.

Mr. Abdul Khalil, Legal Advisor/Advocate for DMC Central.

Manzoor Abbasi, Municipal Commissioner, DMC Malir a/w

Abdul Raees, Director Education, DMC Malir.

Ameer Ahmed Junejo, Municipal Commissioner, DMC Korangi.

Waseem Soomro, Municipal Commissioner, DMC Central.

Muhammad Ali Mazhar, J: The case of the petitioners is that they all are blind persons and were engaged by respondents on 'Disabled Quota'. At present they are performing their duties as Teachers in different DMCs. In view of the directions given by this Court earlier, the learned counsel for the petitioners filed a hand-written statement to show the particulars of DMCs in which the petitioners are performing their duties as Teachers. The list of petitioners alongwith the names of their respective DMCs is reproduced as under:

- “1. Muhammad Nawaz Khan Distt. (Korangi)
2. Muhammad Sulaiman Distt. (Central)
3. Mst. Shaheen Naz Distt. (West)
4. Peer Hussain Distt. (West)
5. Naseer Ahmed Distt. (Malir)
6. Mst. Sana Daniel Distt. (Central)”

2. The petitioners have approached this Court for regularization of their services as well as payment of their salaries. Their grievance is that for last eight months their salaries are withheld without any lawful justification. The Municipal Commissioners Korangi, Central and Malir are present, while the learned counsel for the DMC West is also present. They undertake that before Eid the salaries of the petitioners for the month of August, 2016 will be paid and so far as the arrears of seven months' wages is concerned, the same will be cleared in seven instalments, which means that every current month salary will be paid alongwith one month's arrears. The Municipal Commissioners have also shown their difficulty that Notification of taking charge by the Chairman has not been issued and till such time the Notification is issued, they shall be in difficulty and as and when the Chairman will take the charge, the authority for financial power/bank mandate will be issued. So far as the regularization is concerned, the learned A.A.G. undertakes that the regularization process of the petitioners will be taken up by the Secretary, Local Government in accordance with law if their cases are recommended for regularization by the concerned DMCs.

3. As a result of above discussions, this petition is disposed of with the directions to the respondents to ensure the payment of salaries in view of above undertaking. The DMCs concerned will also scrutinize the cases of the petitioners for regularization of their services and forward the recommendations to the competent authority for regularization in accordance with law. The exercise of regularization shall be completed within two months.

Copy of this order may be transmitted to the Municipal Commissioners of all the concerned DMCs and learned A.A.G. for compliance.

Judge

Judge

Asif