

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P. No.D-3965 of 2016

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar

Mr. Justice Abdul Maalik Gaddi

Mazhar Hussain & others Petitioners

V E R S U S

Province of Sindh & others Respondents

17.10.2016

Mr. Irshad Ali Shar, advocate for petitioners
Mr. Abdul Jaleel Zubedi, AAG

Muhammad Ali Mazhar-J. Learned counsel argued that the petitioners applied for the post of Police Constables in response to the advertisement published in the newspaper, thereafter, they appeared in the written test and interview as well as the physical test. On completion of codal formalities, they were appointed but vide Order dated 04.5.2016, they were removed from service.

2. In the prayer clause, they have prayed that the respondents be directed not to conduct re-examination of the petitioners. They further prayed that since their departmental appeals are pending, the same may be decided at an early date. The learned AAG, at the very outset, pointed out that the removal order of the petitioners was issued in compliance of the directions given by the hon'ble Supreme Court of Pakistan after conducting inquiry, however, he concedes that since departmental appeals are pending and the petitioners have also sought directions for its early decision, therefore, he proposes that some directions may be issued to the competent authority to decide their appeals. Learned counsel for the petitioner satisfied on this proposal.

3. We have also seen the copies of Show Cause Notices issued in the month of April 2016 under Section 3 of the Removal from Service (Special Power) Sindh Ordinance, 2001. In the RSO, the right of appeal is provided, thereafter an aggrieved person may invoke the jurisdiction of competent forum, if any injustice is done to him or there were some defects in the inquiry, which resulted his removal from service. Learned counsel for the petitioners pointed out page 355, which is a copy of appeal preferred by one of the petitioners Mubashir Hussain Shar and he argued that other petitioners have also preferred their appeals, which are pending.

4. As a result of above discussions, this petition is disposed off with directions to the competent authority to decide pending appeals of the petitioners, if any, within a period of one month, as proposed by the learned AAG. Pending application is also disposed off.

Judge

Judge

nisar/pa