

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD

C.P No.D-707 of 2013

DATE	ORDER WITH SIGNATURE OF JUDGE
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For Katcha Peshi.

18.10.2017.

Mr. Samiullah Rind, Advocate for petitioner.

Mr. Allah Bachayo Soomro, A.A.G. alongwith Jahangir Memon Assistant Director Industries on behalf of respondents No.1,2 and 3.

Petitioner is son of Dhani Bux Panhwar, who was Naib Qasid in the office of Deputy Director Industries Hyderabad Region and expired on 09.01.2004 during service. The petitioner has filed this petition for appointment as Junior Clerk in the same department of his father on the basis of deceased quota.

Respondent No.1 to 3 have filed objections, in Paras 5 and 6 thereto it has been affirmed by them that one Mumtaz Ali Panhwar, who is brother of the petitioner, has applied against the deceased quota and his case has already been processed and sent to the competent authority after due recommendation for the appointment as per policy. Learned A.A.G states that as per policy only one person has to be appointed and since the petitioner's brother has already applied, the petitioner cannot be recommended.

However, learned Counsel for petitioner has drawn our attention to an affidavit of said Mumtaz Ali Panhwar giving no objection to the appointment of the petitioner in his stead which he has filed alongwith his statement dated 26.10.2016.

Learned A.A.G in order to assist the Court has placed on record the copy of the order dated 25.09.2017 passed by this Court in C.P No.D-2637, 2946 and 2948 of 2015 in which the Chief Secretary Sindh has been

directed to examine the cases of the persons separately who have applied for the appointment on the basis of deceased quota and in case it is found that their father or mother were employees of Sindh Government, they shall be appointed as per relevant policy. Learned Counsel for the petitioner has stated that the case of the petitioner may be decided on similar lines.

Under the circumstances, we dispose of this petition with direction to the Chief Secretary Sindh that the case of the petitioner shall be examined as per his qualification and as per terms of the policy of the deceased quota and if he is found to be duly qualified and the fact that his father was working in the Industrial Department Hyderabad Region as claimed by him, then his case shall be considered according to said policy strictly in accordance with law.

This petition in the above terms stands disposed of.

JUDGE

JUDGE