

Order Sheet
IN THE HIGH COURT OF SINDH KARACHI
Constitutional Petition No. D –7214 of 2019

Before:

Mr. Justice Nadeem Akhtar

Mr. Justice Adnan-ul-Karim Memon

Abdul Hussain and 04 others

Versus

Province of Sindh and 03 others

Date of hearing & order : 02.12.2020

Petitioners are present in person.

Mr. Ali Safdar Depar, Assistant Advocate General Sindh.

ORDER

ADNAN-UL-KARIM MEMON, J. Petitioners have approached this Court for regularization of their contingent service as computer Operator, Naib Qasid and Chowkidar in the Sindh Coal Authority (SCA) Government of Sindh.

2. Petitioners who are present in person submit that they were appointed purely on a temporary/fixed remuneration basis against the ADP scheme No.1846 / project viz. Preparation of Water Master Plan of Thar Coalfield in the years 2008 and onwards till completion of the project. After completion of the project in the year 2018, their services were discontinued without assigning any reason. They prayed for allowing the petition.

3. Petitioners present in court have been heard at some length on the issue of maintainability of the instant petition and perused the material available on record.

4. From the above-admitted position, it is clear that after completion/closure of the project as discussed supra their cases do not fall within the ambit of the Sindh (Regularization of Ad-hoc and Contract Employees) Act, 2013. Moreover, their appointments were not against the regular sanctioned strength of the department, therefore no vested right could be claimed to continue with the aforesaid posts after the closure of the subject project.

5. The petitioners, in our view, have failed to make out their case for regularization of their service as their case is neither covered under Section 3 of Sindh (Regularization of Ad-hoc and Contract Employees) Act, 2013, nor fall within the ambit of Policy of the Government of Sindh, therefore, the instant petition is hereby dismissed along with the pending application(s) with no order as to costs.

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