

**IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD**

**CP No. D- 848 of 2012**

Shahid Hussain v. Chief Secretary and others

**CP No. D- 3360 of 2016**

Ghulam Mustafa v. Province of Sindh and others

**CP No. D- 158 of 2017**

Muhammad Jawaid v. Province of Sindh and others

**CP No. D- 3146 of 2017**

Lala Aijaz v. Province of Sindh and others

**C.P No. D- 87 of 2018**

Fayyaz Hussain v. Province of Sindh and others

**CP No. D- 224 of 2018**

Gul Bahar v. Province of Sindh and others

**CP No. D- 310 of 2018**

Abdul Hai v. Province of Sindh and others

**CP No. D- 472 of 2018**

Zohaib v. Province of Sindh and others

**CP No. D- 664 of 2018**

Allah Bachayo v. Province of Sindh and others

**CP No. D- 758 of 2018**

Mst. Nighat Sultana v. Province of Sindh and others

**CP No. D- 761 of 2018**

Ihsan Ali v. Province of Sindh and others

**CP No. D- 3196 of 2018**

Raza Muhammad v. Province of Sindh and others

**CP No. D- 93 of 2019**

Ghulam Rabani v. Province of Sindh and others

**CP No. D- 609 of 2019**

Sajid Ali v. Province of Sindh and others

**CP No. D- 1826 of 2019**

Haji Khan v. Province of Sindh and others

**CP No. D- 1910 of 2019**

Muhammad Faisal v. Province of Sindh and others

**CP No. D- 2087 of 2019**

Mst. Shazia v. Province of Sindh and others

**Present:-**

**Mr. Justice Nadeem Akhtar**

**Mr. Justice Adnan-ul-Karim Memon**

Date of hearing: 06.11.2019

& decision: 06.11.2019

Mr. Kanji Mal Meghwar, advocate for petitioner in C.P No.D-158 of 2017

Mr. Agha Waqar Ahmed, advocate for petitioner in C.P No.D-3146 of 2017 and C.P No.D-472 of 2018.

Mr. Ayaz Khaskheli, advocate holding brief for Mr. Sajjad Ahmed Chandio, counsel for petitioner in C.P No.D-664 of 2018.

Mr. Ashok Kumar, advocate holding brief for Mr. Ishrat Ali Lohar, counsel for petitioner in C.P No.D-758 of 2018.

Mr. Sajjad Ali Soomro, advocate holding brief for Mr. Asif Gul Bhatti, counsel for petitioner in C.P No.D-3196 of 2018.

Mr. Babar Ali Darya, advocate holding brief for Mr. Ashfaqe Nabi Qazi, counsel for petitioner in C.P No.D-310 of 2018.

Mr. Nasrullah Magsi, advocate holding brief for Mr. Fakhruddin Dahraj, counsel for petitioner in C.P Nos.D-609 and 2087 of 2019.

Mr. Bakhtawar, advocate holding brief for Mrs. Razia Ali Zaman Patoli, counsel for petitioner in C.P No.D-93 of 2019.

Mr. Allah Bachayo Soomro, Addl. Advocate General, Sindh a/w Mr. Mumtaz Memon o/b of DHO, Shaheed Benazirabad and Dr. Abdul Latif Shah DDOH, DHO Office Sanghar o/b of DHO Sanghar.

**ORDER**

**ADNAN-UL-KARIM MEMON, J:** - Petitioners in these petitions are seeking appointment in Government Service on Deceased Employee Quota in terms of Rule 11-A of Sindh Civil Servant (Appointment Promotion and Transfer) Rules, 1974. Initially, the learned A.A.G. opposed these petitions on the ground that there is cutoff date provided in the aforesaid rules for applying under the above quota and the petitioners had applied after the cutoff date will not be eligible to be considered for appointment under the deceased quota. However, finally, he has consented for disposal of the same with the assertion that his consent is subject to all just exceptions more particularly in the light of Rule 11-A of Sindh Civil Servant (Appointment Promotion and Transfer)

Rules, 1974. Since the facts are common, hence all the above numbered petitions are being disposed by this common order.

In our view, Rule 11-A of Sindh Civil Servant (Appointment Promotion and Transfer) Rules, 1974 is very clear in its terms. The Honorable Supreme Court of Pakistan in C. P. No. 482-K & 503-K of 2016 vide order dated 10.08.2016 has held that the clog of two years for making application for employment under deceased quota for the children who have already applied for employment prior to making of this rule, was done away. In the light of the judgment passed by the Honourable Supreme Court and with the consent of the parties, who are present in Court, these petitions are disposed of in the following terms:

- I. Petitioners shall submit their respective applications along with supporting material / documents to the Chief Secretary, Government of Sindh, through any recognized courier service on or before 15.11.2019, for scrutiny and consideration and decision through a speaking order on or before 31.01.2020 strictly in accordance with law and the prescribed rules, procedure and policy, and after providing opportunity of hearing to the petitioners.
- II. Offer letters shall be issued only to those petitioners who are approved by the Chief Secretary/competent authority where after such petitioners shall complete all legal and codal formalities required under the law and the relevant rule, procedure and policy.
- III. Petitioners who are not approved by the competent authority may seek their remedy, if any, before the competent forum in accordance with law.
- IV. Compliance report in the above terms shall be filed by the Chief Secretary, Government of Sindh, through learned A.A.G. with the Additional Registrar of this Court latest by 15.02.2020.

Let, notice be issued to the Chief Secretary Sindh and Secretaries of the concerned departments, Government of Sindh, along with a copy of this order for its compliance in letter and spirit.

**JUDGE**

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