

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

C.P No.D-1534 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE(s)
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1. For orders on office objection.
2. For hearing of M.A No.10941/19.
3. For hearing of M.A No.10942/19.

07-11-2019.

Mr. Qadir Bux, advocate for the petitioners.

Mr. Salman Talbudin, Advocate General, Sindh, Allah Bachayo Soomro and Muhammad Ismail Bhutto, Addl. Advocate General, Sindh a/w Dr. Shahid Islam Junejo AMS / Focal Person LUH, Hyderabad
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1. In view of the office order passed on 08.02.2016 by the then Honourable Chief Justice, office objection is overruled.

2. Through this application, official respondents have prayed that the delay in filing review application bearing M.A No.10942 of 2019 be condoned on the grounds stated therein as well as in the review application. After hearing learned Advocate General Sindh and learned counsel for the petitioners, we are of the view that the order dated 24.07.2019 under review cannot remain in the field to the extent of ordering fresh appointments in the Health Department and other departments of Government of Sindh from BPS-01 to BPS-05 through I.B.A as such condition is contrary to Rule 11 of the Sindh Civil Servant (Appointment, Promotion and Transfer) Rules, 1974. In addition to the above, learned counsel for the petitioners has no objection if the delay in filing the review is condoned. Accordingly, this application is allowed and the delay is condoned.

3. Through this review application, official respondents have prayed that the order dated 24.07.2019 be reviewed to the extent of fresh appointments from BPS-01 to BPS-05 through I.B.A, mentioned in paragraph 9 of the said order. It is stated by learned Advocate General Sindh that the Government of Sindh will ensure that all appointments from BPS-5 to BPS-15 will be made through a transparent process entailing clearance of tests conducted by an independent testing entity like IBA, and this decision has already been taken by the Committee constituted by

the Cabinet in its meeting held on 07.01.2019. He further states that appointments in non-technical cadres in BPS-01 to BPS-04 shall be made through the respective departmental committees specified in Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 ; and, in order to keep a neutral check on the appointment process, the Deputy Commissioner concerned and a representative of the Services, General Administration & Coordination Department (SGA&CD) shall also be appointed as members of these committees.

Statement dated 07.11.2019 has been filed by learned counsel for the petitioners which is taken on record. As per the above statement, the petitioners do not have any objection to the grant of this review application. Accordingly, by consent, this review application is allowed to the above extent and subject to the assurance given by the learned Advocate General Sindh.

JUDGE

JUDGE

Fahad Memon