IN THE HIGH COURT OF SINDH AT KARACHI

Before:-
Mr. Justice Nadeem Akhtar
Mr. Justice Adnan-ul-Karim Memon

<u>**C.P No.D-7221 of 2019**</u>

Talal Ahmed V/S Province of Sindh & 04 others.

Date of hearing
& decision: 19.02.2020

Nemo for the petitioner.
Mr. Hakim Ali Shaikh, Additional Advocate General Sindh a/w Mr. Raza Mian, DSP (Legal) on behalf of I.G Sindh.

O R D E R

<u>**ADNAN-UL-KARIM MEMON, J:**</u> Petitioner is seeking declaration to the effect that he is eligible and fit candidate for appointment as Police Constable in Police Department, on the basis of son quota.

2.   Since 13.11.2019 nobody has bothered to put appearance to argue the matter. *Prima facie*, the issue is related to appointment on the basis of son quota in police department, therefore, the same is decided in the light of the policy for recruitment of constables in Sindh Police-2016. In our view, only those candidates can be appointed against the post of police constable, who meet the requisite criteria as provided in the Recruitment Rules-2016. In this regard, our view is supported by Rules 12.6 and 12.15 of Police Rules, 1934. We are fortified by the judgment rendered in the case of Gul Hassan Jatoi (*supra*) and <u>*Mohammad Nadeem Arif & others vs. IGP Punjab, Lahore & others,*</u> **2011 SCMR 408,** in which Hon'ble Supreme Court has held that the Standing Orders issued by Inspector General of Police have to be approved by the Provincial Government.

3.   The aforesaid legal position of the case explicitly shows that there is concept of only deceased quota subject to all just exceptions and not that of son quota. Since petitioner has applied against son quota in the police department, he is not entitled to such relief under the aforesaid provision. It is well-settled law that the appointment of police constable can only be made through competitive process on merit as provided under the recruitment rules and not otherwise.

4.   In view of what has been discussed above, the instant Constitutional Petition is dismissed in *limine* along with pending application(s) with no order as to costs.

JUDGE

JUDGE

Nadir*