

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

C.P No.D-2593 of 2017

BEFORE:

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Adnan Iqbal Chaudhry

Petitioner(s) : Rao Talib Hussain & others through
Syed Shahzad Ahmed Shah, Advocate.

Respondents : SSGC through Mr. Aslam P. Sipio. Advocate

Date of Hearing
& Order : 21.10.2021

ORDER

ADNAN-UL-KARIM MEMON, J:- Petitioners, through amended title vide order dated 9.3.2021 passed by this Court, are seeking declaration to the effect that they are eligible and fit candidates for appointment on different posts in Sui Southern Gas Company Limited (SSGC) based on son quota.

2. Prima facie, the issue is related to the appointment on son quota in respondent- SSGC, therefore, the same is decided in the light of policy for appointment of Employees Children vide Memorandum of Settlement dated January 1, 1992, to December 31, 1993, as per chart of demand.

3. Per learned counsel for the respondent-company, the aforesaid settlement was made by and between the workers and the management of respondent-company. He next submitted that the said policy depicts that the appointment of certain category in all units of SSGC can be filled in the manner as provided in the Policy and not otherwise. Learned counsel relied upon clause 54 of the Memorandum of Settlement and argued that the case of the petitioners do not fall within the aforesaid policy on the premise that the parents of the petitioners stood retired from services of respondent-company

on Executive posts / management cadre, thus they could not be treated as 'Workers'.

4. At this stage, learned counsel for the petitioners in substance has pleaded discrimination on the ground that the petitioners were not considered for appointment; and, on the contrary, the other number of appointments of children of officers / employees of Management cadre had been made; however, he has seriously submitted that the petitioners were only left out. He referred to paragraph 9 of the memo of petition and claims similar treatment as meted out with the sons of officers of management cadre. When confronted to the learned counsel for respondent-company, he reluctantly agreed for disposal of instant petition with direction to the competent authority to consider the candidatures of petitioners for such appointments.

5. In our view, only those petitioners / candidates can be appointed against the posts reserved for children of workers / employees of Management cadre, who meet the required criteria as provided in clause 54 of the Memorandum of Settlement.

6. We, in the peculiar facts and circumstances of the case, allow this petition in the terms whereby the competent authority of respondent-company is directed to consider the cases of the petitioners for appointment in terms of criteria as provided in clause 54 of the Memorandum of Settlement issued by the respondent-company, without discrimination, under law, within a reasonable time by providing meaningful hearing to the petitioners.

7. The petition stands disposed of along with the pending application in the above terms.

JUDGE

JUDGE