

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 1523 of 2019

Date of hearing	Order with signature of Judge
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Hearing of case

For hearing of main case

18-11-2021

Mr. Niazuddin N. Memon, Advocate for the Petitioner.
Mr. Zulfiqar Ali Naich, Assistant Advocate General Sindh.

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Through this Petition, the Petitioner has sought the following relief(s):

- (a) *To direct the Respondents to issue appointment order to the Petitioner against **deceased quota** forthwith in light of Section 11-A of Civil Servant Rules.*
- (b) *To grant any other relief, which this Honourable Court deems fit and proper in circumstances of the case.*
- (c) *To award the costs of the Petition.*

Notice was ordered and comments have been filed on behalf of Respondents No.4 & 5, wherein in response to Para-5, it has been stated as follows:

Comments of Respondent No.4

“It is submitted that petitioner moved application for the post of Police constable against deceased quota, after doing the needful same was sent to IGP Sindh Karachi vide this office letter No:E-II/3455-58 dated 01.03.2019 there after the petitioner was called to appear before the committee on 12.04.2019 at PTC Saeed Abad Karachi vide SSP Khairpur’s letter No.SSC/3321 dated 10.04.2019, but the petitioner failed to appear before the committee.”

Comments of Respondent No.5

“In response to Para No.05, it is prayed that the petitioner submitted application for the post of Police Constable against deceased quota, after doing the needful same was sent to DIGP

Sukkur Range vide this office letter No:SSC/2012 dated 26.02.2019 and DIGP Sukkur has forwarded the same to the IGP Sindh Karachi vide his office letter No:E-II/3455-58 dated 01.03.2019 there after the petitioner was called to appear before the committee on 12.04.2019 at PTC Saeed Abad Karachi vide this office W.T message No: SSC/3321 dated 10.04.2019, but the petitioner failed to appear before the committee.”

While confronted, Petitioner’s Counsel submits that no intimation for appearance before the Committee was ever received. Be that as it may, in view of judgment dated 03-09-2019 passed by a Division Bench of this Court in the case of Imtiaz Hussain v. Province of Sindh & 03 others (C. P. No. D-271 of 2019), any person, even a person under the deceased quota, cannot be appointed directly as Police Constable.

In view of such position, this Petition is **disposed of** by directing the Respondents to treat the pending application of the Petitioner for appointment under the deceased quota for any ministerial job, if so entitled, and decide the same in accordance with law.

J U D G E

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Abdul Basit