

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 1295 of 2020

Date of hearing	Order with signature of Judge
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Hearing of case

For hearing of main case

23-11-2021

Mr. Shah Nawaz Waseer, Advocate for the Petitioner.
Barrister Asfandiyar Kharal, Assistant Advocate General Sindh.

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

- (a) *That this Honourable Court may be pleased to declare the act of the Respondents for not issuing appointment order of the Bailiff/ Naib Qasid/ Chowkidar to the Petitioner against Deceased Quota, as the father of the Petitioner has been expired during his service and he was discharging his duty in capacity of Peon in the respondents department, such act of the Respondents is illegal, improper ab-initio void and against the law, constitution and principles of natural justice, hence the same is liable to be declared as null and void.*
- (b) *To direct the Respondents to issue appointment order of Bailiff/ Naib Qasid/ Chowkidar to the Petitioner, against Deceased Quota in their Department forthwith, as the Petitioner and his family members are suffering a lot, because there is no cogent source of income for the petitioner to earn livelihood and support the family of the Petitioner.*
- (c) *To grant any other relief which deems fit and proper under the circumstances of the case.*

Comments were called from the concerned District & Sessions Judge, and it has been replied as under:

“04- *The contents of para No.07 and 08 are partly admitted and it is further respectfully submitted that, on approach of petitioner he was informed that, since the death of his*

father no any fresh appointment has been made within District Courts Ghotki till today. The petitioner was further informed that, as and when fresh appointment will be invited, the notice whereof shall be published in newspaper and in case the petitioner may apply, he will be considered as per the policy of Government and Honorable High Court of Sindh.

05- *The para No.09 to 15 having reproduced law and being based on personal ground of petitioner, need no elaborated comments.*

While parting with my written comments, it is respectfully submitted that, as and when the appointments within District Courts Ghotki will be made, the petitioner will be considered as per policy made by Administrative Committee of Honorable High Court of Sindh circulated vide letter No.Admin/XII-Z-14-11 dated. 3-03-2010 and HC/ADMI/00565 dated. 23-07-2012.”

In view of this position, the Petition is **disposed of** with directions to the Petitioner that as and when any vacancy is announced through advertisement, he may apply and the same shall be considered in accordance with law.

J U D G E

J U D G E

Abdul Basit