

# IN THE HIGH COURT OF SINDH AT KARACHI

Present:  
**Irfan Saadat Khan, J.**  
**Agha Faisal, J.**

CP D 1844 of 2014 : Faizan Raza & Others vs.  
Federation of Pakistan & Another

For the Petitioners : Ms. Riffat Bano, Advocate

For the Respondents : Mr. Muhammad Nishat Warsi  
Deputy Attorney General

Date of hearing : 07.12.2021

Date of announcement : 08.12.2021

## ORDER

**Agha Faisal, J.** Seven petitioners preferred this petition claiming to have been appointed by the respondent No.2 on contingency basis, from time to time, and sought regularization of their employment. Learned counsel submitted that five of the petitioners had already been regularized, however, the grievance of the petitioner Nos. 2 and 3 remained unaddressed till date.

2. Petitioners' counsel submitted that discriminatory treatment was being meted out to the relevant petitioners as no case has been stated to deny them treatment at par with the other co-petitioners. Learned DAG adverted to an affidavit dated 10.03.2020 of the respondent No.2, wherein it was stated that the petitioner Nos. 2 and 3 appeared in a written test and upon failure therein could not be considered for regular appointment. There is yet another affidavit dated 18.02.2020, also submitted by the respondent No.2, wherein it is categorically stated that no action was precipitated to consider the regularization of the services of petitioner Nos. 2 and 3.

3. Upon consideration of the record it is prima facie apparent that while the case of the five co-petitioners appear to have been considered for regularization, no similar treatment has been given to the petitioner Nos. 2 and 3. The issue of the relevant petitioners not qualifying in a written test appears ancillary to the present controversy as they sought regularization and not independent fresh appointment.

4. In view of the foregoing, we hereby direct the respondent No.2 to consider the grievance of the petitioner Nos. 2 and 3 and determine the same, vide a speaking order, in accordance with law, after providing opportunity of

hearing the said petitioners. It is expected that this exercise shall be completed within one month from the date hereof.

This petition is disposed of in terms herein contained.

JUDGE

JUDGE

Khuhro/PA