

Judgment Sheet
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

CP No. D- 2648 of 2018

BEFORE :

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Adnan Iqbal Chaudhry

Date of hearing
& decision: 02.11.2021

Petitioner: Neno through Mr. Bhooro Bheel, Advocate.

Respondent: Province of Sindh and others
through Mr. Ayaz Ali Rajpar, Asstt: A.G.

ORDER

ADNAN-UL-KARIM MEMON, J:- Through this petition, the petitioner has prayed as under:-

- a. To declare that the failure of the respondents to consider the case of the petitioner is illegal, malafide, capricious, arbitrary and against the law.
- b. To direct the respondents to make payment of the petitioner without fail while giving him back benefits and salaries.

2. Brief facts of the case are that the petitioner was appointed as chowkidar BPS-1, in Education Department Government of Sindh vide appointment letter dated 28.8.2007; subsequently, the petitioner completed all the legal formalities which consist of medical examination and antecedent report from the police of the area; that after completing the above formalities the petitioner had been approaching the respondents for posting but they kept him on hopes that as and when the vacancy occurs he would be posted. The petitioner in this regard moved several applications to high ups but

no heed was paid, hence he has filed the instant petition with the above prayer.

3. We have heard the learned counsel for the petitioner and perused the material available on record on the aforesaid pleas. We asked the petitioner as to whether the post of the petitioner was advertised or not and whether he submitted a joining report in terms of the alleged offer/appointment letter. He was unable to show from the record that advertisement was published in the newspapers for the subject post, or Recruitment Committee was constituted or any test was conducted, or anything in this regard was done by the concerned Department at the time of his purported appointment on the aforesaid post. Even he failed to move an application for joining the post within 15 days from the date of the appointment letter.

4. In the light of the above, we do not find any substantial point to allow this petition, which is accordingly dismissed along with the pending application(s) with no order as to costs.

JUDGE

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