

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

Suits No.1058, 1059 & 1090 of 2015

Date	Order with signature of Judge
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For hearing of CMA 9612/15

Dated: 17.01.2022

Mr. Abdul Karim Khan for plaintiffs.
None for defendants.

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I have heard learned counsel for plaintiffs.

In all these three suits plaintiffs urge that they were appointed on daily wages sometime in the year 1998 onwards. The details of their appointments are available along with the pleadings/plaints. These appointments were never made on the basis of any codal formalities including the publication. Later on, the Export Processing Zone initiated recruitments on the subject posts on the basis of public notice and putting recruitments to terms and aggrieved of it i.e. filling of vacancies by all codal formalities, plaintiffs have filed these suits that these vacancies be filled by confirming their appointments and that the prescribed tests required by these daily wagers, who have completed their probationary period, may not be undertaken or waived.

The NTS test was meant and subscribed for these daily wagers on account of the fact that they were in the service since last many years.

This too was an indulgence as at the time of their initial appointments no codal formalities were fulfilled and would thus be a premium to an unlawful appointment as daily wagers.

Since the inception of their appointments no codal formalities were exhausted; their appointments were on the basis of walk-in interview. I have not been able to find any advertisement or test

amongst the deserving persons who could have applied for such appointments having genuine belief that later on they could be confirmed. Plaintiffs without any contest were given appointment letters and now after so many years of their unlawful appointments they want these appointments to be given premium by confirmation of their appointments, without undergoing process of even NTS tests, which was ordered to be undertaken. I would not even consider NTS tests to be a justified attempt to regularize or regulate their services.

This being situation I do not see any reason to grant injunction of the nature as sought. The injunction applications are pending since last about six years and ad-interim orders are being enjoyed by plaintiffs. The applications are thus dismissed with costs of Rs.2,000/- to be deposited by each plaintiff with the High Court Clinic within two weeks.

Judge