

HIGH COURT OF SINDH AT KARACHI

Constitutional Petitions No.D-542, 393, 394, 3434,
5330, 7019 & 8618 of 2017 and 215 & 393 of 2018.

Present:

Mr. Justice Irfan Saadat Khan

Mr. Justice Adnan-ul-Karim Memon.

Date of hearing: 13.03.2018.

Petitioners: Through Ch. Muhammad Ashraf Khan, Advocate
alongwith Mr. Amir Hanif, advocate

Respondent No.1: Through Shaikh Liaquat Hussain, Assistant Attorney
General for Pakistan

Respondent No.2. Through Mr. Sanaullah Noor Ghouri, advocate

Respondent No.3. Through Mr. Muhammad Zahid, advocate

ORDER

IRFAN SAADAT KHAN, J. All the instant petitions have been filed by the petitioners, who claim regularization of their services in the respondent department on the basis of decision taken by the Cabinet Sub-Committee dated 13.3.2013, according to which, the services of the contract and daily wages employees (teaching and non-teaching staff) who have served more than one year should be regularized subject to fulfillment of recruitment criterion and availability of posts under intimation to the Establishment Division.

Learned counsel for the petitioners state that a petition of identical nature came up for hearing before this Court in C.P. No.D-5176 of 2013 and the said petition was disposed of on 15.12.2016 by observing as under:

“In the wake of foregoing discussion, the petitions are disposed of with the directions to the respondent No.2 to regularize the services of the petitioners in terms of Cabinet Sub-Committee decision dated 13.3.2013. The pending applications are also disposed of”.

He states that the above decision of this Court was subsequently affirmed by the Hon'ble Supreme Court of Pakistan in Civil Appeal No.121-K/2017 & 122-K/2017. He, therefore states that the instant petitions being identical in nature may also be disposed of in the same terms as already decided by this Court and endorsed by the Hon'ble Apex Court.

Mr. Sanaullah Noor Ghouri, advocate for respondent No.2, Mr. Muhammad Zahid, advocate for respondent No.3 and Shaikh Liaquat Hussain, Assistant Attorney General for respondent No.1 have no objection for disposal of the instant petitions on the basis of the decision already given by this Court on 15.12.2016 and endorsed by the Hon'ble Supreme Court of Pakistan in the above referred civil appeals.

We, therefore, after hearing the parties at some length and perusing the record, allow all the petitions by directing the respondents that the services of the petitioners may be regularized in terms of the Cabinet Sub-Committee Decision dated 13.03.2013. Consequently, pending applications, if any, also stand disposed of.

Above are the reasons of our short order of even date, whereby all the instant petitions were allowed.

Office is directed to place a copy of this order in all the captioned connected petitions.

JUDGE

JUDGE