

ORDER SHEET

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD.**

C.P. No. D — 1001 of 2023

DATE

ORDER WITH SIGNATURE OF JUDGE[S]

31.10.2023.

FOR ORDERS ON OFFICE OBJECTION.
FOR HEARING OF M.A. 4826/2023.
FOR HEARING OF MAIN CASE.

Mr. Riazat Ali Sahar Advocate for Petitioners.
Mr. Mansoor Ali Jamali Advocate for Respondent No.3.
Mr. Rafique Ahmed Dahri A.A.G. Sindh along with Dr. Sikandar
Memon Focal Person Health Department.

Earlier Order of 21.06.2023 is quite specific about appointment of either new Executive Director or Professor Sajjad Ali Surhio Sindh Institute of Ophthalmology and Visual Sciences, Hyderabad [SIOVS] may continue to hold acting Charge as Executive Director of the above Institute as per the Rules.

It is ironic that despite specific orders of this Court the Board of Respondents / SIOVS till date has not appointed any Executive Director and it is stated by Petitioner's counsel that even the Executive Director Professor Sajjad Ali Surhio, who was to retire in August 2023, has also left.

It is stated by learned A.A.G. that Board of Directors has already recommended that Professor Sajjad Surhio will continue as Executive Director of the Institute until a regular appointment is made.

Today, learned A.A.G. under statement of Secretary Health Department / Respondent No.2 has submitted copy of 'Summary' for Sindh Cabinet about appointment of Executive Director in Respondent / Institute. It is expected that a swift decision will be taken in this regard so that the functioning of Sindh Institute of Ophthalmology and Visual Sciences, Hyderabad, is not hampered in any way. Statement is taken on record. Office to flag and page the same.

It is also observed with concern that to attend this Case, the doctors and other Staff of the Institute are present, who were never called in person. In this time when they are unnecessarily present in Court, means that patients would also suffer at the Hospital.

It is also pointed out by Petitioners' counsel so also supported by Respondent No.3 counsel, that medicines are not properly provided, due to lack of authorization. Respondents should take immediate action in this regard so that treatment of patients is not affected in any way.

We cannot refrain ourselves from observing that how affairs of an important Institute is managed, rather mis-managed in this way. There is no justification that why till date a regular Executive Director is not appointed, when the present incumbent retired in August 2023.

Trivial administrative issues concerning Institutes and Hospitals are brought before Courts for decision, which squarely fall within the domain of the Executive, but due to its continuous inaction to the extent of negligence, Courts have to intervene, in order to save these Institutions and above all the public interest. Education and Health should be given top priority. It is a matter of common knowledge that numerous Hospitals in this Province are in a dilapidated condition. Instead of providing up to the standard Health Facility, which is a right of every citizen of a Welfare State, even the Health Sector is not spared from political influence and often the Hospitals are overstaffed which is another contributory factor in their poor management and provision of facilities.

Secretary Health or Additional Secretary Health should be present in Court on next date along with the Report concerning the SIOVS.

To be listed on **29.11.2023** at 11-00 a.m.

JUDGE

JUDGE

A.