

Order Sheet
IN THE HIGH COURT OF SINDH,
BENCH AT SUKKUR

Const. Petition No. D-**4827** of 2016
Const. Petition No. D-**4844** of 2016
Const. Petition No. D-**1132** of 2017

Date of hearing	Order with signature of Judge.
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Hearing of Case

- 1.For orders on CMA 3840/2023
- 2.For orders on office objections.
- 3.For hearing of main case.

09-08-2023

Mr. Sundar Khan Chachar, Advocate for petitioner in C.P.No.D-4827 of 2016.

Mr. Irshad Hussain Dharejo, Advocate / Legal Advisor, BISE, Sukkur along with Muhammad Salman, Secretary, BISE, Sukkur.

Mr. Zulfiqar Ali Naich, Assistant Advocate General-Sindh.

In these connected petitions, petitioners working, in the Board of Intermediate and Secondary Education (BISE), Sukkur, against different posts from grade-01 to 04, when were visited with major punishment of dismissal from service and compulsory retirement respectively, filed these petitions for setting aside the said punishment.

2. The punishment was awarded to the petitioners against allegations of involvement in departmental politics and raising slogans against the administration of the Board. While these petitions were pending, petitioners' respective departmental appeals filed before the Board of Governors of BISE, Sukkur, were allowed and order of compulsory retirement of petitioners in C.P.No.D-1132 of 2017 was reviewed and they were reinstated into job, whereas, dismissal of petitioners in remaining two petitions No.D-4827 & 4844 of 2016 was converted into a punishment of compulsory retirement. It is not disputed that the allegations against all the four petitioners were identical in nature and they had been serving the Board otherwise to the entire satisfaction of their superiors. As stated above, two

petitioners in C.P.No.D-1132 of 2017 have already been reinstated in service and apparently there is no distinction in their case and the case of remaining two petitioners, insofar as allegations against them are concerned.

3. Such apparent manifestation of facts when we have confronted to the respondents and their counsel, they have not succeeded in putting up any reason to defend the same and justify some order discriminatory to the petitioners in petitions No.D-4827 & 4844 of 2016. Therefore, with their consent, all these petitions are **disposed of** in the terms whereby petitioners in petitions No.D-4827 & 4844 of 2016 likewise are reinstated in service from the date of dismissal but without previous dues which they have agreed to forgo. As far as petition No.D-1132 of 2017 is concerned, since it has been informed that petitioner No.1 Jameel Ahmed has been reinstated in service, whereas, petitioner No.2 Manghu Mal, after having been reinstated in service has expired, having served its purpose, is accordingly disposed of.

4. These petitions along with pending application(s) are **disposed of** accordingly. *Office to place a signed copy of this order in captioned connected matters.*

JUDGE

JUDGE

Ahmad