

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Const. Petition No.D- 1888 of 2018
(*Ghulam Shabbir Maitlo v. P.O Sindh & others*)

Present:
**Muhammad Iqbal Kalhoro &
Arbab Ali Hakro, JJ**

Mr. Shabbir Ali Bozdar, Advocate for petitioner.
Mr. Zulfiqar Ali Naich, Assistant A.G - Sindh.

Date of Hearing : 05-09.2023
Date of Decision : 05-09.2023

ORDER

MUHAMMAD IQBAL KALHORO, J.: Petitioner appeared in the interview test for Primary School Teacher (PST) in terms of an advertisement published in various newspapers on 20.05.2012 and obtained 78 marks in the final merit-list, available at page-19 of the petition. He was placed at serial No.7 of the list, but was declined offer letter. On the contrary, candidates at serial Nos.8 and 9 of the merit-list, who had obtained less marks than him viz.77 and 78, were given offer letters and appointed accordingly subsequently.

2. Learned counsel for the petitioner further submits that the candidate at serial No.4 had obtained 80 marks in the final merit-list, but he had qualified Intermediate in 3rd Division, like petitioner whose case was rejected on that point: 3rd Division.

3. On the other hand, learned Assistant Advocate General-Sindh submits that the case of the candidate at serial No.4 is on better footings than the petitioner as he had obtained 80 marks, whereas, petitioner had obtained 78 marks. There was no occasion to consider petitioner over him i.e. the candidate at serial No.4. Whereas, regarding candidates at serial Nos. 8 and 9, learned AAG submits that they had passed Intermediate in 2nd Division, whereas, petitioner had qualified

Intermediate in 3rd Division, which was a disqualification in terms of advertisement, available at page-15.

4. When confronted with such facts, learned counsel for petitioner has drawn our attention at page-25 of the objections filed by him, where a purported Certificate of the candidate at serial No.4 showing his passing Intermediate in 3rd Division is available. However, this is only a Photostat copy of such Certificate and does not seem to have been verified by the relevant Education Board so its authenticity is not over the board to consider him parallel to the petitioner. More so, petitioner has not made him a party in the petition. Therefore, this argument cannot be of any helpful to him and be appreciated of course for want of above factors. Petitioner except aforesaid arguments has not forwarded any other ground for considering him as a successful candidate for the appointment as PST, particularly, when after a thorough consideration of all above facts, his case was declined by the relevant competent authority and others were appointed for the reasons, as enumerated above.

5. We, therefore, find no merit in this petition and accordingly **dismiss it.**

JUDGE

JUDGE

Ahmad