

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

C. P No. D – 379 of 2018

(Saddam Hussain vs. Province of Sindh & others)

Present:-

Mr. Muhammad Iqbal Kalhoro, J
Mr. Arbab Ali Hakro, J

Date of hearing & Decision : **02.05.2024**

Mr. Abdul Naeem Pirzada, Advocate for petitioner
Mr. Zulfiqar Ali Naich, Assistant Advocate General Sindh

ORDER

Muhammad Iqbal Kalhoro, J;- Petitioner is seeking his appointment on deceased quota. His case is that his father was Police Constable / Naib Qasid and died on 12.07.2012 during service. In any case, petition was disposed of on 04.09.2018 with a bunch of identical petitions with the directions to concerned authorities to consider, amongst others, the case of petitioner in terms of Rule 11-A of Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974.

2. It appears that the petitioner did not get any relief, hence, he filed the listed application for contempt. In reply, it was brought to the notice of the Court that petitioner's father had died on 12.07.2012 after his retirement on superannuation on 31.12.2011, hence he was not entitled to appointment on the deceased quota. After such comments, the petitioner took a new turn and stated that in CNIC of his father, date of his birth is recorded as 01.10.1961, whereas in the service book his date of birth has been considered to be in the year 1951, which is wrong. And hence at

the time when petitioner's father retired, he was 50 years, therefore, would not be considered to be in service. His contention was considered and vide order dated 18.04.2023 it was rejected by this Court. Consequently, respondent No.4 / SSP, Naushahro Feroze was directed to decide the application of petitioner within three months. His application has been decided against him on the ground that his father had died, after retirement. Hence, Rule 11-A of *ibid* law is not attracted in the case of petitioner. Nothing against this has been offered to negate it. We, therefore, finding no merits in the listed application and dismiss it accordingly.

Judge

Judge

ARBROHI