

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Constitution Petition No. D-321 of 2020

(Muhammad Shafique Solangi Vs. Federation of Pakistan & others)

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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Before;

Adnan-ul-Karim Memon, J;
Muhammad Abdur Rahman, J;

Date of hearing and order: 14-05-2024.

Mr. Abdul Wahab Shaikh, advocate for the petitioner.

Mr. Karim Bux Janwari, Assistant A.G, Pakistan.

ORDER.

Adnan-ul-Karim Memon J:- The petitioner Muhammad Shafique seeks direction to the respondent-President Zarai Tarqiyati Bank Limited, Islamabad to appoint him against deceased quota in terms of Human Resource Procedural Manual 2017 of ZBTL and dicta laid down by the Supreme Court in the case of *Province of Sindh Vs. Muhammad Taqi Shah (2018 SCMR 1607)*.

The grievance of the petitioner is that his father Ghulam Qadir was serving in respondent-Bank as OG-I Audit Zone ZTBL Sukkur, who during his service passed away on 14-02-2018 and after the death of his father, the petitioner continuously approaching the respondent-Bank for his appointment on deceased quota as per policy of the Bank, but they are avoiding to appoint him, although the petitioner is entitled for such relief, hence this petition.

Learned AAG, Pakistan has opposed this petition and referred to the parawise comments filed on behalf of respondents No. 2 to 4.

He further submitted that Rule 11-A of Civil Servants (Appointment, Promotion & Transfer) Rules, 1974 are not applicable to respondent-Bank and prayed for dismissal of the petition.

We have heard the parties and perused the material available on record.

It appears that as per recruitment and selection policy of respondent-Bank there seems to be no provision of quota system, which is based on open merit. If this is the position of the case, the petitioner is required to follow general guidelines for recruitment and selection and apply for the post and his case shall be considered in accordance with law and Policy. Let the application of the petitioner be entertained by the respondent-Bank and if he is found eligible in all respects, he may be allowed to participate in any of recruitment process, if initiated in future and his candidature shall be considered without discrimination.

Let notice be issued to the President Zarai Tarqati Bank Limited, Islamabad, along with a copy of this order for its compliance in letter and spirit.

Judge

Judge

