

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH**  
**CIRCUIT COURT MIRPURKHAS**

Constitution Petition No.D-75 of 2024  
(*Muhammad Shahid & others Vs. P.O Sindh & others*)

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**DATE            ORDER WITH SIGNATURE OF JUDGE**

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Before;

*Adnan-ul-Karim Memon, J*

*Amjad Ali Bohio, J*

Date of hearing & Order 26.08.2024

Mr. Hitesh & Mr. Shahnawaz Laghari, advocate for the petitioner  
Mr. Rauf Arain, Advocate for respondent  
Mr. Muhammad Shareef Solangi A.A.G Sindh a/w Rafique Seehar,  
C.M.O Mirpurkhas.

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**ORDER**

*Adnan-ul-Karim Memon, J.*            The petitioners, who are employees of Municipal Corporation Mirpurkhas, have filed this petition under Article 199 of the Constitution of the Islamic Republic of Pakistan 1973, seeking directions to the official respondents to release their salaries.

2.        The learned counsel for the petitioner submitted that the respondents are reluctant to release their salaries which have been withheld for a long time. They prayed for allowing the petition as prayed.

3.        The respondents have refuted the claim of the petitioners on the premise that petitioners are not employees of Municipal Corporation Mirpurkhas on the premise that Town Committee Hussain Bux Mari was abolished in the year 2017/18 and merged in District Council Mirpurkhas. The respondents further submitted that petitioners were employees of defunct Town Committee Hussain Bux Mari after upgradation of Municipal Corporation Mirpurkhas, the District Transition Team prepared bifurcation plan on the direction of Local Government Department vide notification dated 02-06-2023. The Committee recommended that employees of defunct Town Committee Hussain Bux Mari divided in three portion i.e. Municipal Corporation Mirpurkhas, Town Municipal Committee Mir Sher Muhammad Khan Talpur and Town Municipal Committee Syed Khadim Ali Shah; however, the said recommendation has not yet been finalized and appeal is pending before the Secretary Local

Government Department. The respondents further submitted that neither Octroi Zila Tax share of town Committee Hussain Bux Mari has been released by the Finance Department nor bifurcation plan has been finalized. They further submitted that the petitioners are not performing their duties.

4. If this is the position of the case, this Court cannot determine the claim and counter claim of the parties in Constitutional Jurisdiction and leaving this matter to be dealt with by the Chief Secretary Sindh and Secretary Local Government to ascertain the status of the petitioners and if their appointments is genuine and working on their respective posts, their salary issue be decided within two weeks after providing meaningful hearings to the petitioners.

5. This petition stands disposed of in the above terms.

**JUDGE**

**JUDGE**

*\*Ali Sher\**