

ORDER SHEET

**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

**C. P No. D – 1455 of 2024**

Date of hearing	Order with signature of Judge
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**Hearing of case**

1. For orders on office objection at flag 'A'
2. For hearing of main case

**02.12.2024**

Mr. Abdul Naeem Pirzada, Advocate holds brief for Mr. Riaz Ali  
Shaikh, Advocate for the petitioners  
Mr. Zulfiqar Ali Naich, Assistant Advocate General Sindh  
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Learned Asstt:A.G places on record a Concise Statement along with copy of order dated 09.11.2015 passed by learned Apex Court in Civil Appeals Nos.19-K to 50-K of 2015 *Re- Government of Sindh and others vs. Loung Khan Rajper etc.*, which is taken on record. He submits that as far as the claim of the petitioner regarding his appointment on account of plot donation is concerned, it has already been declared null and void by learned Apex Court in its esteemed order (*supra*), therefore, the petition on this score alone is not maintainable. He; however, submits that policy framed by the provincial government in terms of the statement filed by him today through Concise Statement submitted by the respondent No.3, the petitioner may be directed to approach the provincial government for the job(s) ought to be advertised and in case the applications are invited for the new appointments. Learned Asstt:A.G; however submits that application ought to be submitted by the petitioner for his appointment shall be given priority. Before parting with this order, we deem it appropriate to reproduce the Concise Statement filed by learned AAG Sindh, which reads as under;-

*“It is further stated that in the past there was a limited scope of school buildings in the far flung areas. As per practice, preference in the appointments was giving to those who donated their land for construction of school subject to condition that Form VII of the land may be transferred in the name of Education Department,*

*Government of Sindh. It is also submitted that under the Recruitment Policy 2008 and subsequently in 2012, all appointments on teaching and non-teaching posts are made purely on merit basis through the selection by the third party i.e. IBA, University of Sindh and National Testing Services (NTS). The District Recruitment Committee have been constituted headed by Deputy Commissioner, Additional Deputy Commissioner-I and concerned District Education Officer.*

*Keeping in view the above facts, the operation of the impugned judgment of the Honourable High Courts regarding plot donation appointments has been set aside by the Honourable Supreme Court of Pakistan. Therefore, this Honourable Court may be pleased to dispose of the petition accordingly.”*

Accordingly, in view of the above, instant Constitutional Petition is hereby disposed of; however, the petitioner is at liberty to approach the respondent No.3 in terms of above referred policy as and when jobs are created and advertised. In case the petitioner may approach to the respondents / department for his appointment, his case shall be considered on priority basis.

Judge

Judge