

ORDER SHEET

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

**C. P No. D – 1104 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. Zulfiqar Ali Naich, Assistant Advocate General Sindh along with AEN Muhammad Wasil on behalf of Executive Engineer, Ghotki Tube Well Division, Ghotki

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None present for the petitioner. Learned AAG Sindh places on record a Policy 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 Policy 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. Before parting with this order, we deem it appropriate to reproduce the Policy Statement filed by learned AAG Sindh, which reads as under;-

*“It is submitted before this Honourable Court that in late 70s the 1200 tubewells were installed in the jurisdiction and of Ghotki Circle by Water Power Development Authority (WAPDA) namely salinity (sic) control and reclamation project (SCARP) in which, it was policy of the Government that the plot would be provided by the Khatedar (voluntarily) whose lands are water logged. In lieu of that one post of Chowkidar will be given to the land owner. The project including its staff was handed over to the Government of*

*Sindh Irrigation Department on 01.07.1984 for maintenance and repair, since then Irrigation Department is the custodian of the installations.*

*Now the recruitment policy is being adopted for any new appointment by the Government of Sindh.*

*The petitioner has to apply for the post as and when Government lifts the ban from recruitment. The case will be considered on merit and as per rules.”*

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.

Judge

Judge

ARBROHI