

ORDER SHEET
 IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
 Constitutional Petitions No.D-833 & 904 of 2009, 515,
 1955, 2071, 2245, 2306 of 2010, 860/2011, 169, 261,
 314, 392, 418, 562, 1133, 1314, 1348, 1385 of 2012,
 17, 48, 60, 85, 103, 111, 120, 151, 203, 228, 245, 275,
 300, 309, 346, 361, 363, 373, 374, 413, 414, 447, 456,
 459, 463, 475, 633, 638, 682, 683, 891, 912, 1032, 1097,
 1134, 1237, 1245, 1398, 1402, 1427, 1465 of 2013, 77,
 377, 378, 409, 410, 522, 533, 595, 837, 852, 887, 919,
 950 and 1010 of 2014.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
23.09.2014.	<u>For Katcha Peshi.</u>

Messrs Rashid Mustafa Solangi, Abdul Rahman Bhutto, Rafique Ahmed K. Abro, Naushad Ali Tagar, Qazi Manzoor Ahmed, Asif Hussain Chandio, Ashfaq Hussain Abro, Muhammad Afzal Jagirani, Abdul Rasheed Abro, Imtiaz Ahmed Shahani and Faiz Muhammad Lari advocates.

Mr. Abdul Hamid Bhurgri, Additional Advocate General, alongwith Anwar Ali Khokhar, District Education Officer, Larkana, Azizullah Odo District Education Officer, Jacobabad and Ali Akbar Kalhoru, For Person of District Education Officer, Shikarpur.

In general, it is the case of the petitioners that since they have donated the plot for construction of the school, therefore, they are entitled for a job for themselves or their nominee under the policy. Such policy is not denied by Mr. Abdul Hamid Bhurgri, learned Additional Advocate General, who submits that in case any one approaches under the policy, their case shall be considered strictly in terms thereof.

2. In the circumstances, let the petitioners fulfill the following formalities in order to establish ownership of the plot and in case the petitioners or any of their nominees are found entitled for appointment under the plot donation policy, their case shall be processed in the following manners :-

- (i) Copy of agreement Bond signed by the applicant/plot donor and DEO concerned regarding the construction of school building.
- (ii) Copy of Form VII-A duly signed by the Mukhtiarkar, Taluk Revenue of concerned Taluka showing the ownership of plot/land of the applicant.

- (iii) NOC of other shareholders of land/plot and other hereditary property.
- (iv) Present status of school.
- (v) Qualification/Domicile/P.R.C of the applicant.
- (vi) Certificate from relevant officer that land donated for construction of school stands transferred in the name of Education & Literacy Department, Government of Sindh.

3. Such process of initial preparation and scrutiny shall be completed not later than 45 days from today. All those, who have not yet complied with the above formalities referred in sub-para (i) to (vi), shall complete the same within a period of 30 days, whereafter the concerned officers of the concerned department after scrutinizing shall submit and forward the documents to the concerned Secretary within a period of 45 days. The concerned Secretary shall then submit the summary within 15 days from the receipt of the documents from the concerned officers. Although the petitioners' Counsel submit that 30 days time is sufficient, however, at the request of Mr. Abdul Hamid Bhurgri, learned Additional Advocate General, we shall consider 45 days to be appropriate for the concerned officers to scrutinize the documents and submit to the concerned Secretary for onward submission of the summary to the Worthy Chief Minister as suggested. The concerned Secretary after the requisite time may submit a report in this regard. We would appreciate if the timeframe/schedule suggested by Mr. Abdul Hamid Bhurgri shall be followed in its strict terms.

4. With these observations, the petitions stand disposed of alongwith pending applications, if any.

JUDGE

JUDGE