

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.

Constt: Pett: No. D- 774, 210, 254, 255, 472, 491, 508, 759, 850, 1072, 1075,  
1079, 1081, 1115, 1176, 1278, 1335, 1397, 1425, 1401 of 2012  
and D-91, 145, 325, 490, 690, 279 of 2013.

Date Order with signature of Hon'ble Judge

1. For orders on M.A No.280/2017,
2. For orders on M.A No. 699/2017,
3. For orders on M.A No. 1391/2017,
4. For hearing of M.A No.960/2016,

19.10.2017.

Mr. Habibulah G. Ghouri, advocate for the petitioners.

Mr. Shafi Mohammad Chandio and Mr. Munwar Ali Abbasi,  
Asstt: A.G a/w Mr. Naimatullah Bhurgri, State Counsel.

=====

Learned counsel for the petitioner in all the above mentioned constitutional petitions submits that in C.P No.D-475/2012 and others having identical nature of case a Division Bench of this Court has passed an order on 05.10.2017 and he seeks same order in all the listed contempt applications filed in the present petitions.

Learned A.A.G records his no objection.

For the sake of brevity the order passed in C.PNo.D-475/2012 is reproduced as under:

" It appears that in all these petitions contempt applications are pending for compliance of orders separately passed on 12.2.2012 and 25.9.2014. The matter relates to appointment of petitioners in the Education Department. There are two categories of petitioners one pertains to 2008 Policy and other to 2012 Policy. Insofar as the matters relating to 2008 Policy are concerned, today statement has been filed by Additional Secretary, Law for Secretary, School Education and Literacy Department alongwith Notification dated 25.9.2017, wherein a five members committee has been constituted to deal with the cases of the petitioners as directed by this Court. This committee has been directed to submit its report within 15 working days. The contempt applications

R

pertaining to petitioners of 2008 Policy are disposed of in view of such statement. 113

Insofar as the compliance of order dated 25.9.2014 in respect of 2012 Policy is concerned learned Additional Advocate General submits that in that Order directions were given to the Complaint Redressal Committee, however under the Policy there is no Complaint Redressal Committee and it is only Recruitment Committee. He submits that if fresh directions are given other District Recruitment Committee would be constituted and the cases of 2012 Policy would be decided preferably within a period of three months. Accordingly, the contempt applications in respect of Order dated 25.9.2014 are disposed of by directing the Secretary Education, Govt. of Sindh to constitute District Recruitment Committee afresh and resolve the issue pertaining to 2012 Policy within a period of three months. After decisions of these issues, if, any of the petitioner is aggrieved he may individually seek remedy by filing a fresh application.

It may be relevant to mention here that the Constitutional Petitions bearing No.D-475/2012 and others, which were disposed of vide order dated 05.10.2017, pertained to the Teachers Recruitment Policy 2008 and 2012, while present petitions are related to the Teachers Recruitment Policy 2007 wherein the offer letters to the petitioners were allegedly issued by the respondent No.1/District Education Officer, which is disputed by the respondent No.1. However, since the nature of present petitions is the same as that of C.P No.D-475/2012 and others and as per learned A.A.G the Secretary Education and Literacy Department has constituted District Recruitment Committee (DRC) in compliance of order dated 05.10.2017 passed in CP No.D-475/2012 and others, we deem it appropriate that the case of present petitioners in above mentioned constitutional petitions also be examined by the DRC constituted by the Secretary Education vide notification dated 25.9.2017. The DRC however, is directed to submit its report before this Court through

Additional Registrar after completion of its exercise as per mandate of Notification dated 25.09.2017.

*MS*

All the listed contempt applications filed in the aforementioned constitutional petitions stand disposed of in above terms.

  
JUDGE

  
JUDGE