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ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C. P. No.D-2701 of 2011

Date of Hearing	ORDER WITH SIGNATURE OF JUDGE
02.11.2017.	

1. For orders on M. A. No. 6427/17.
2. For orders on office objections.
3. For hearing of main case.

Mr. Faiz Mohammad Larik, advocate for petitioner.
Mr. Shafi Mohammad Chandio, Addl. A. G.

It is alleged that, on contingent/daily wages basis, petitioner No.1 was appointed as Driver, petitioner No.2 as Junior Clerk, petitioner No.3 as Senior Clerk and petitioner No.4 as Computer Operator by the respondent No.1 i.e. EDO (Information, Technology), Kamber-Shahdadkot, while the petitioner No.5 was appointed as Junior Clerk by the respondent No.2/EDO (Agriculture), Kamber-Shahdadkot and petitioners No.6 to 12 as Junior Clerk, Naib Qasid, Chowkidar and Field Assistant by the respondent No.3/D.O. (Livestock and Animal Husbandry), Kamber-Shahdadkot, petitioners No.13 and 14 were appointed as Driver by the respondent No.4/EDO (Finance & Planning), Kamber-Shahdadkot and the petitioner No.15 was appointed as Junior Clerk by the respondent No.5/EDO (Health), Kamber-Shahdadkot.

It is further alleged that when District Kamber-Shahdadkot was created, there was no separate District Government of elected representatives, however, the Government of Sindh had posted District Coordination Officer in said district, who appointed the petitioners on contingency/daily wages basis looking to the acute shortage of supporting staff. It is also alleged that after their appointment and joining, the petitioners performed their duties in their respective places of posting punctually, but all of sudden the respondents withheld their salaries from the month of June, 2011, hence this petition was filed by the petitioners

mt with the following prayers:-

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(a) That this Hon'ble Court may be pleased to direct the respondents to release salaries of the petitioners of June, 2011, July, 2011, September, 2011 and October, 2011, and shall not stop/withhold in future without assigning any reason.

(b) That this Honourable Court be pleased to restrain the respondents from terminating services of petitioners at their whims or due to political reasons and be further pleased to direct respondents to allow petitioners to continue their services on same terms and conditions viz. contingency/daily wages basis and as they complete/fulfill the required experience and meet the criteria their services may be regularized forthwith keeping in view their qualification and experience.

Heard the arguments of learned Counsel for the petitioners and learned AAG, and perused the material available on record.

The Counsel for the petitioners in his arguments has reiterated the contents of petition.

It is an admitted position that the petitioners were appointed on various dates on contingency/daily wages basis by the then District Coordination Officer, who had the administrative control and powers over the defunct EDOs of various departments. An employee appointed on contingency/daily wages basis has no vested right for the regularization of his services. The Counsel for the petitioners has admitted the fact that the petitioners are not working in their respective departments after July, 2011, hence no question of even payment of their salaries arises. This petition is, therefore, dismissed being devoid of any merit, along with listed application.

JUDGE