

IN THE HIGH COURT OF SINDH, CIRCUIT COURT
LARKANA

Constitutional Petition No. D-1230 of 2014

Present:

Mr. Justice Zafar Ahmed Rajput

Mr. Justice Khadim Hussain Tunio

Petitioner : Muhammad Shareef son of Abdul Kareem
Kolachi through Mr. Nazeer Ahmed Kolachi,
advocate.

Respondents : 1. Director N.T.S of Pakistan at Islamabad.
2. Asst. Director N.T.S of Pakistan at Islamabad.
3. Manager Operations N.T.S of Pakistan at
Islamabad.
4. President ZTBL Islamabad
through Mr. Ameer Ali Narejo, State Counsel.

Date of Hearing : 06.12.2017

Date of Decision : 06.12.2017

ORDER

KHADIM HUSSAIN TUNIO-J. Through this order, we intend to dispose of the above captioned Constitutional petition, filed by the petitioner with the following prayers:

a. Direct the respondents No. 1 to 3 to prepare result sheet of the candidates, as per law, because they are only competent to declare the same according to law.

b. This Honorable Court may be pleased to restrain the respondent No. 4 to prepare list of candidates instead of respondents No. 1 to 3, because petitioner has apprehension that he might be deprived from his legitimate right at the hands of respondent No. 4.

2. It is alleged that the petitioner in response to as advertisement applied for the post of OG-III in Zarai Taraqiati Bank Ltd. (ZTBL) on

11.08.2014, and having attended the NTS test on 14.09.2014 he waited for the result, which has not been announced. It is the case of the petitioner that ZTBL/respondent No.4 wanted to adopt pick and choose policy, which is against the norms of natural justice, hence the petitioner filed this constitutional petition finding no alternate and speedy remedy.

3. Counsel for petitioner has contended that the respondent No. 4 did not allow the N.T.S authorities to announce and publish the result of the test; that the petitioner has cleared in the written test, so also in the interview, but the respondents No.4 concealed the merit list to accommodate blue eyed candidates.

4. Conversely learned State Counsel has maintained that the respondent No. 4 announced the result on 21.09.2014 through letter in the website of ZTBL, wherein the petitioner secured only 25 marks against required qualifying marks i.e. 50%; therefore, he was not called for an interview. He has also maintained that all the recruitments were made strictly according to the merits, rules and regulations.

5. We have given due consideration to the arguments advanced by the learned counsel for the respective parties, and perused the relevant record with their assistance.


6. From the perusal of record, it appears that ZTBL had published an advertisement for the post of OG-111 and after receiving applications from the candidates, written test was conducted by the NTS. It further appears that the process of recruitment was made according to the bank's recruitment policy. The petitioner attended the written test but failed to



obtained required 50% marks to make himself eligible for attending interview. It may be observed that ZTBL is a Public Limited Company registered under Companies Ordinance, 1984 with an Independent Board of Directors which aims at ensuring good governance, autonomy and perform as viable commercial institution on self-sustainable basis. In the instant case apparently all the recruitment processes have been made strictly according to the bank's recruitment policy, rules and regulations and standing instructions. Hence, this petition being devoid of any legal merit is dismissed, accordingly alongwith pending application, with no order as to costs.



JUDGE



JUDGE