

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**

Constitutional Petition No. D-4676 of 2016  
*(Sikandar Ali Soomro v Chief Executive Officer CEO & others)*

Date	Order with signature of Judge(s)
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Before:  
Mr. Justice Muhammad Karim Khan Agha  
Mr. Justice Adnan-ul-Karim Memon

**Date of hearing and order 22.4.2025**

Mr. Qaim ali Memon advocate for the petitioner.  
Mr. Ali Safdar Depar AAG.

**ORDER**

**Adnan-ul-Karim Memon, J:** The petitioner requests this court to suspend the illegal termination order. He also seeks direction to the respondents to reinstate the petitioner. He also seeks a declaration to the effect that the respondents' actions are ultra vires of the Constitution of Pakistan.

2. The petitioner was contracted as a Dispenser by respondents No. 1-6 from 01-07-2016 to 30-06-2017 and continued working for approximately six years at a Basic Health Unit in Dillo Shah, District Naushero Feroze, Sindh. On 16-12-2016, the petitioner received a termination order from respondent No. 5, District Manager Imdad Ali Laghari, based on an alleged false accusation of sexual harassment by respondent No. 7, Mst. Arfana Chandio, under the Women Protection Act 2010. The petitioner was terminated without any prior notice, inquiry, or investigation. The petitioner appealed the termination to the concerned authorities but received no response. Subsequently, respondent No. 7, Mst. Arfana Chandio provided an affidavit denying the alleged sexual harassment and stating it was a false accusation in favor of the petitioner.

3. The petitioner's counsel contends that during his six years of service, he worked honestly without any prior complaints. He believes the termination, without a proper inquiry, is illegal and a result of a practice within the respondent's department to unfairly blame and terminate individuals without due process. He added that despite submitting appeals and the affidavit from Mst. Arfana Chandio to higher and lower authorities, no action has been taken. The petitioner argues that the false accusation has caused him mental, physical, and financial suffering, damaging his reputation. A legal notice sent to respondents No. 1-6 on 25-04-2017 also received no response. The petitioner's counsel asserted that his termination without a formal inquiry violates judgments of the

Supreme Court of Pakistan, which mandate a proper inquiry with full opportunity for defense in cases of major penalties like dismissal.

4. We have heard the learned counsel for the parties and perused the record with their assistance.

5. Regarding the contractual nature of the employment dispute, this Court has consistently held that contract employees cannot invoke the High Court's constitutional jurisdiction. Their sole recourse is to file a suit for damages in case of breach of contract or failure to extend it. The Supreme Court case Federation of Pakistan v. Muhammad Azam Chattha (2013 SCMR 120) established that a contract employee cannot seek reinstatement for the remaining contract period but can only claim damages for the unexpired term.

6. The petitioner's counsel has failed to demonstrate any intervention of this court under Article 199 of the Constitution. Therefore, we find no basis to allow this petition; as such, this petition is dismissed with pending application(s) in this case.

JUDGE

Head of Constitutional Benches