

ORDER SHEET

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

Constt: Petition No.D- 1517 of 2014.

(Mst. Tania Begum v. P.O Sindh and others)

DATE OF HEARING ORDER WITH SIGNATURE OF HON'BLE JUDGE

Before:

Muhammad Saleem Jessar, J;
Adnan-ul-Karim Memon, J

Date of hearing and Order: 12.3.2025.

Mr. Tanveer Hussain Mahotto, Advocate holding brief for
Mr.Ashfaq Hussain Abro, Advocate for the petitioner.

Mr. Liaquat Ali Shar, A.A.G assisted by Mr.Aftab Ahmed Bhutto,
Asstt: A.G. a/w Liaquat Ali Naich, DEO (Primary) Dadu.

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ORDER

ADNAN UL KARIM MEMON-I. The petitioner is contesting the appointment of Respondent No. 4 to a position as Primary School Teacher (PST) in Union Council Betto, Taluka Mehar. They claim the appointment was illegal, specifically the 'importing' of Respondent No. 4, and request the court to: declare the appointment void, prevent any further appointment orders for Respondent No. 4, and 3, and order the position be offered to the petitioner, who asserts she is the rightful candidate.

3. The petitioner submitted through her petition that she applied for a Primary School Teacher (PST) position in the Education and Literacy Department, based on her Union Council residency. She earned 72 marks, placing second. However, she was denied the position, and Respondent No. 3 improperly appointed Respondent No. 4, who is from a different Union Council. She added that she, as the successful and most qualified candidate, is being unjustly deprived of her rightful appointment. She prayed for allowing the petition.

4. The respondents strongly deny the claims of the petitioner and assert that the District Recruitment Committee (DRC) Dadu's data indicated only one vacancy in the petitioner's Union Council (UC), based on mixed needs. The respondents clarify that the National Testing Service (NTS) established test

centers across the Hyderabad Region, and Respondent No. 4 took the written test from UC-Mehar, achieving 88 marks. Following the Teacher Recruitment (TR) Policy 2012 guidelines, the DRC Dadu verified Respondent No. 4's documents. While the NTS result showed her affiliation with UC-Mehar, the DRC's merit sheet noted, based on her domicile and Mukhtiarkar report, that she is actually from UC-Beto. Consequently, the DRC Dadu recommended Respondent No. 4 for the vacancy in the petitioner's UC, as she was ranked highest on the merit list. He prayed for the dismissal of the petition.

5. Due to the factual disputes raised by both parties, which this court is not positioned to resolve within its constitutional jurisdiction at this stage, it is recommended that the matter be referred to the Secretary of Education for a decisive decision by hearing the parties within one month.

6. Disposed of accordingly.

~~JUDGE~~ JUDGE
12/8/2015