

**ORDER SHEET**  
**HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS**

**C.P No.D-260 of 2024**

*[Ghulam Rasool vs. Province of Sindh and others]*

**Present:**

**Justice Arbab Ali Hakro-J**  
**Justice Riazat Ali Sahar-J**

Petitioner by : Mr.Aziz Ahmed Laghari, Advocate

Respondents by : Mr.Muhammad Sharif Solangi, Asst. A.G Sindh

Date of hearing : **14.5.2025**

**ARBAB ALI HAKRO-J:** Through this petition, the petitioner seeks appointment under the Invalid/Son Quota in the Sindh Police Department, asserting entitlement thereto based on the invalidation and subsequent demise of his father, Abdul Jabbar, who had served as a Police Constable. The petitioner avers that his father was medically retired on 28.11.2018 and later expired on 13.02.2023. Consequently, he applied for appointment under the invalid quota, but his request was not acceded to.

2. Heard and perused the record. The Respondent No.3, in his comments, has categorically asserted that the Sindh Police (Shaheed, Deceased, Invalidated, or Incapacitated Quota) Recruitment Rules, 2021, were promulgated pursuant to a Judgment dated 03.09.2019<sup>1</sup>. In accordance with the said policy, advertisements were duly disseminated in leading daily newspapers, inviting applications under the prescribed quota. The petitioner, availing the opportunity, applied for a post within Class-IV Staff (BPS-01 to 04) against the Invalidated Quota. His claim was subsequently forwarded to the DIGP, SBA Range, for scrutiny and authentication vide letter dated 25.02.2022. Upon authentication, verification, and receipt of the requisite Invalidation Order from the DIGP, SBA Range, it was conclusively determined that the case of the petitioner does not fall within the ambit of "Permanently Invalidated or Incapacitated" Police Officer as per Rule 2(g) of the Recruitment Rules, 2021. The said rule defines a Permanently Invalidated or Incapacitated Police Officer as one who has been declared

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<sup>1</sup> Passed in C.P No.D-271/2019, by Divisional Bench of this Court at Principal seat Karachi

invalidated or incapacitated by a duly constituted Medical Board, having sustained injuries in the course of duty under specific and enumerated circumstances, including:

- (i) Encounter with terrorists or criminals,*
- (ii) Exposure to terrorist attacks,*
- (iii) Injury sustained in a bomb blast,*
- (iv) Violence during law and order situations, including rioting,*
- (v) Road accident while performing official duty,*
- (vi) Service rendered to protect public property, prevent injury or death during pandemics, natural calamities, and disasters such as floods, earthquakes, and fire,*
- (vii) Lifelong threats posed by criminals or terrorists owing to prior actions against them, duly established following an inquiry conducted by an officer of not below the rank of SP, which inquiry must be undertaken personally and shall not, under any circumstances, be delegated.*

3. In view of the foregoing, and upon diligent perusal of the relevant provisions of law, rules, and notifications governing appointments under the Invalid Quota, the exclusion of the petitioner's case from the list of fit claims and non-consideration for recruitment under the Invalidated Quota vide letter dated 23.11.2022, appears to be in consonance with the prescribed legal framework. It is a settled proposition of law that a quota-based appointment, being an exception to the general rule of merit-based recruitment, must be strictly construed and applied within the contours of its enabling framework. In the absence of fulfilment of the prescribed eligibility criteria, no vested right to employment can be claimed under such provisions.

4. Accordingly, in the wake of the foregoing analysis, we find no legal infirmity in the decision of the Respondent authorities. The instant petition, being devoid of merit, is hereby **dismissed**.

**JUDGE**

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