

IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No.D-2555 of 2023

(Ansar Ahmed versus The Government of Sindh & another)

Before:

Justice Muhammad Karim Khan Agha

Justice Adnan-ul-Karim Memon

Date of hearing & order: 12.9.2025

Mr. Qaim Ali Memon advocate for the petitioner

Mr. Sandeep Malani AAG

ORDER

Muhammad Karim Khan Agha J. Petitioner has filed this Constitutional Petition with the following prayer: -

To direct the respondent No.2 for reinstatement/restoration of the petitioner on its original footing in the light of letter No. 3610-24/E-II/DP/2023 dated 20.2.2023.

2. Learned counsel for the petitioner submitted that the petitioner is a former police driver constable, who retired on August 1, 2020, after 25 years of service to care for his daughter with thalassemia, and is now seeking reinstatement. He bases his request on a February 20, 2023, police message offering to reappoint discharged officers and on Police Rules 12.25, which he claims allows for reinstatement and permits him to serve until he age of superannuation. His application for reinstatement is currently pending. He prayed for allowing the petition.

3. The Learned Assistant Advocate General (AAG) opposed the petition, arguing that the petitioner, having retired and received all service benefits, cannot be re-enrolled as a Driver Police Constable. The AAG requested that the petitioner be dismissed.

4. We have heard learned counsel for the parties and considered the record.

5. We have informed that the government of Sindh's policy prohibits the re-enrolment of retired police official. However in the present case, the petitioner was appointed a Police Constable (PC/2164), who joined the force on August 18, 1994. He completed 25 years of service on August 17, 2019. He retired from government service on his own request, effective August, 1, 2020. After his retirement, he received all his due benefits, including gratuity/communication, leave encashment. GP fund payment, retirement grant, and a monthly pension. Petitioner later appealed to be re-enrolled or reinstated in service. The request was forwarded to higher authorities, who cited two government letters from 1981 and 2019 that bar such re-enrollment in government service. Based on this policy, his appeal was rejected vide order dated 31.12.2021 and the petitioner was informed accordingly.

6. This petition is misconceived and is dismissed along with pending application(s).

HEAD OF CONST. BENCHES

JUDGE

SHAFI