

THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 746 of 2026

[Waseem Ahmed Kalhoro v. Province of Sindh and others]

Before:
Justice Arbab Ali Hakro
Justice Muhammad Osman Ali Hadi

Petitioner by : Mr. Muhammad Yasir Kalhoro, Advocate

Respondents by : Mr. Shahryar Imdad Awan, Assistant Advocate General Sindh

Date of Hearing : **06.08.2026**

Date of Decision : **06.08.2026**

ORDER

ARBAB ALI HAKRO J. – This constitutional petition concerns the effect of the omission of Rule 11-A of the Sindh Civil Servants (Appointment, Promotion & Transfer) Rules, 1974 and the subsequent Notification dated 30.04.2026, which preserves all accrued rights of legal heirs of deceased civil servants prior to 26.09.2024.

2. The petitioner’s father, late Sanaullah Kalhoro, served as a Primary School Teacher in the Education Department, Government of Sindh and was posted at Government Boys Primary School Amir Bux Kalhoro, District Sukkur. He died in service on 09.03.2016. At the relevant time, the petitioner was a minor, having been born on 01.03.2004, as reflected in the Family Registration Certificate issued by NADRA. The petitioner attained majority on 01.03.2022 and submitted an application for appointment under the deceased quota, which was forwarded through the proper channel, along with relevant documents, by the Taluka Education Officer (Male) Primary, Pano Akil, vide letter dated 08.03.2022.
3. Learned counsel for the petitioner submits that, as a minor at the time of his father’s death, the petitioner applied after attaining majority and within the period prescribed under the then-prevailing Rule 11-A.

4. Statement has been filed on behalf of respondent No. 3 and is taken on record.

5. Recently, the Notification dated 30th April 2026, issued by the Services, General Administration & Coordination Department (Regulations Wing), Government of Sindh, amends the legal position created after the omission of Rule 11-A *ibid*. It expressly provides that where a right of employment had accrued prior to 26.09.2024, the legal heir shall not be deprived of the benefit accrued and shall be considered and decided at the level of the Administrative Department, on merit and in accordance with all provisions of omitted Rule 11-A *ibid*.

6. On the admitted facts, the petitioner's father expired while in service on 09.03.2016; the petitioner was a minor at the relevant time; he attained majority on 01.03.2022 and thereafter submitted his application for appointment against the deceased quota. Since the petitioner had attained majority prior to the cut-off date of 26.09.2024, his case, consequently, falls squarely within the protective ambit of the saving proviso and cannot be defeated by the subsequent omission of Rule 11-A or by the interpretation rendered in **PLD 2024 SC 1276**.

7. In view of the statutory mandate contained in the Notification dated 30.04.2026, the matter is referred to the concerned Administrative Department, who shall consider and decide the petitioner's claim strictly in accordance with the saved Rule 11-A, the said Notification and the applicable service rules, by passing a reasoned, speaking order within a period not exceeding ninety (90) days, from the date of receipt of this order. With these directions, the instant petition stands **disposed of**.

8. Office is directed to communicate a copy of this order to the concerned Administrative Department through all available modes, including electronic transmission, for compliance.

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