

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No. D-5052 of 2025

[Ghulam Sarwar V. Province of Sindh and others]

Date	Order with signature of Judge(s)
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Before:
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Zulfiqar Ali Sangi

Date of hearing and Order: 29.04.2026

Mr. Jahangir Shams, Advocate for the Petitioner.
Mr. Abdul Jaleel Zubedi, Additional Advocate General Sindh.
Syed Abid Ali Shah, Director, HR.
Mr. Aurangzaib, Assistant Accounts Officer.
Mr. Awais Ahmed, Senior Auditor.

ORDER

Adnan-ul-Karim Memon, J. – Petitioner Ghulam Sarwar has filed the instant Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking directions against respondent Nos. 5, 6 and 7 for activation of his Computerized Personal ID (CPID) and release of his withheld salary. It is further prayed that the non-payment of salary from May 2023 onwards be declared illegal, arbitrary, and violative of Articles 4, 9, 10-A, and 25 of the Constitution, with a consequential direction for regular disbursement of salary and payment of arrears.

2. The case of the petitioner is that he was appointed as Sindhi Language Teacher (SLT) under the recruitment process conducted in 2012 along with other cadres of teachers. It is stated that owing to allegations of fake appointments in certain cases, salaries of various appointees were withheld and a detailed scrutiny process was initiated under a thirteen-point criteria pursuant to directions of the Honourable Supreme Court of Pakistan.

3. Learned counsel for the petitioner submits that the petitioner successfully cleared the scrutiny process and, vide office order dated 05.05.2023, was declared eligible and found free from all allegations, having fulfilled the requirements under the applicable Recruitment Rules, 1989 as well as the relevant advertisement.

4. On the other hand, the learned Assistant Attorney General, assisted by the Accounts Officer, has objected that the petitioner's name does not appear in the list of cases specifically directed by the Honourable Supreme Court for scrutiny,

and in absence of a formal speaking order specifically covering the petitioner's case, release of salary is not warranted at this stage.

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

6. It is an admitted position that the petitioner claims to have been cleared by the department through office order dated 05.05.2023, whereas the respondents dispute the procedural regularity of such clearance. In matters relating to salary and livelihood of a public servant, the State is under a continuing obligation to act fairly, transparently, and in accordance with law, and any ambiguity in administrative processing cannot be allowed to prejudice a serving employee, if his application is found genuine indefinitely.

7. In view of the foregoing, it is directed that the Education Department along with the Accounts Officer shall jointly re-examine the petitioner's entire record, including his selection, scrutiny process, and eligibility, and pass a proper speaking order strictly in accordance with law within a period of one (01) month. If the petitioner is found to have been duly cleared and eligible, his salary shall be released forthwith along with admissible arrears without unnecessary delay or technical obstruction.

8. With these observations and directions, the petition stands disposed of along with all pending application(s), if any.

JUDGE

JUDGE

Ayaz Gul