

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D-452 of 2026
(*Mst. Farah Naz versus Province of Sindh & others*)

Date	Order with signature of Judge
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Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Zulfiqar Ali Sangi

Date of hearing and order: 06.5.2026

Mr. Rashid Wassan advocate for the petitioner
Mr. Ali Safdar Debar, Assistant AG alongwith
Mr. Muhammad Haroon Qureshi, Focal Person, Director Primary School and
Mr. Allah Ditto Khoso, Litigation Officer, SE&LD

ORDER

Adnan-ul-Karim Memon, J. The petitioner, Mst. Farah Naz has filed this Constitutional Petition under Article 199 of the Constitution seeking restoration of her personal ID, release of withheld salary since 2023, and payment of leave encashment (400 days' full average pay) for the period from 20.07.2019 to 27.09.2021 under Rule 8(b) of the Sindh Civil Servants Leave Rules, 1986.

2. Briefly, the petitioner's case is that she was appointed as SLT in 1995 at GBPS Baba Idrees, Lyari Town, Karachi. Due to an administrative discrepancy, her designation was incorrectly recorded as PST in official records, which was later rectified in 2025. However, she was dismissed from service on 06.04.2022 on the grounds of absenteeism, and her ID was blocked after being declared an absconder. But upon appeal, her absence period from 20.07.2019 to 28.02.2023 was regularized vide order dated 14.03.2023, and she resumed duties on 01.03.2023. It is urged that despite subsequent official correspondence, her ID has not been restored, and her salary remains unpaid, which is apathy on the part of respondents.

2. The learned AAG contends that although the petitioner's absence period has been regularized, such regularization was conditional and does not ipso facto entitle her to back benefits. It is further submitted that the petitioner's service record requires verification by the competent authority, however at this stage no concrete findings could be given under Article 199 of the Constitution.

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

4. Perusal of the record reflects material inconsistencies and a lack of clarity regarding the petitioner's service status, dismissal, and subsequent regularization.

Since the determination of entitlement to salary, ID restoration, and leave encashment is contingent upon proper verification of her service record and the competent authority's approval, this Court refrains from making factual determinations in constitutional jurisdiction, at this stage, until it is properly determined by the department at the first instance.

5. Accordingly, with the consent of the parties and without touching the merits of the case, the Secretary, Education Department, is directed to conduct a comprehensive scrutiny of the petitioner's service record, including the dismissal order, appellate order, and regularization of absence period, and to decide the petitioner's claims strictly in accordance with law after providing an opportunity of hearing to her. Such exercise shall be completed within two (02) weeks from receipt of this order.

6. The petition is disposed of in the above terms along with pending application(s), if any.

A copy of this order be communicated to the Secretary, Education Department, for compliance in time.

JUDGE

JUDGE

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