

THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 984 of 2026

[Saqlain Nawaz Bullo v. Province of Sindh and another]

Before:
Justice Arbab Ali Hakro
Justice Nisar Ahmed Bhanbhro

Petitioner by : Mr. Deedar Ali Chohan, Advocate

Respondents by : Mr. Zulfiqar Ali Naich, Assistant Advocate General Sindh

Date of Hearing : **24.09.2026**

Date of Decision : **24.09.2026**

ORDER

ARBAB ALI HAKRO, J. – Through this constitutional petition, the petitioner seeks appointment against the deceased quota under Rule 11-A of the Sindh Civil Servants (Appointment, Promotion & Transfer) Rules, 1974, following the death of his father while in service.

2. The petitioner, Saqlain Nawaz, asserts that his late father, Muhammad Nawaz Bullo, was serving as a Supervisor Livestock Inspector (BS-17) in the Livestock & Fisheries Department, Government of Sindh, when he expired during service on 03.11.2023. Following the issuance of the obituary notification of his father on 10.01.2024, the petitioner submitted an application along with all requisite documents to the respondents for appointment against the deceased quota. Verification of the petitioner’s domicile and PRC was duly conducted through letter dated 14.02.2024 issued by the Deputy Commissioner, Sukkur. Furthermore, the memo of petition reflects active departmental movement of the petitioner’s claim: vide letter dated 30.01.2024, the Deputy Director, Livestock Production, Sukkur, forwarded the petitioner’s application to the Director, Animal Breeding, Sindh, Hyderabad; subsequently, vide letter dated 15.02.2024, the Executive Director, Animal Breeding & Livestock Production, Sindh, Hyderabad, addressed the Director General, Livestock, Sindh, Hyderabad, regarding the

same subject. However, despite completion of these formalities, no final decision has been made on his claim by the respondent department.

3. Learned Counsel for the petitioner contends that the petitioner's claim accrued upon the death of his father and submission of his application well prior to 26.09.2024. He submits that while declaring appointments under the deceased quota void in **PLD 2024 SC 1276**, the Hon'ble Supreme Court clarified that accrued rights and past transactions initiated prior to the judgment stand protected. Learned counsel strongly relies upon the Government of Sindh Notification dated 30.04.2026 to contend that the petitioner's claim is fully saved and protected under the law.

4. Learned AAG Sindh submits that if the petitioner's claim falls within the protective purview of the Notification dated 30.04.2026, the same shall be considered and decided strictly on merit and in accordance with law by the administrative department.

5. We have heard the learned counsel for the petitioner as well as the learned AAG Sindh and perused the material on record.

6. The legal position regarding claims initiated prior to 26.09.2024 stands clearly clarified. The Notification dated 30.04.2026, issued by the Services, General Administration & Coordination Department (Regulations Wing), Government of Sindh, explicitly protects accrued rights arising prior to the omission of Rule 11-A. It expressly mandates that where a right of employment had accrued prior to 26.09.2024, the legal heir shall not be deprived of the accrued benefit and shall be considered and decided at the level of the Administrative Department, on merit and in accordance with all provisions of the saved Rule 11-A *ibid*.

7. On the facts emerging from the record, the petitioner's father died in service on 03.11.2023; the obituary was issued on 10.01.2024; and the petitioner submitted his application, which was duly processed and transmitted up the administrative hierarchy via official correspondence dated 30.01.2024, 14.02.2024, and 15.02.2024. Thus, the petitioner's claim was duly brought on record and processed through departmental channels

prior to the cut-off date of 26.09.2024. His claim, therefore, falls squarely within the protective ambit of the Notification dated 30.04.2026 and cannot be defeated merely on account of the subsequent omission of Rule 11-A.

8. In view of the statutory mandate contained in the Notification dated 30.04.2026, the matter is referred to the concerned Administrative Department (Secretary, Livestock & Fisheries Department, Government of Sindh, Karachi), which shall consider and decide the petitioner's claim strictly in accordance with the saved Rule 11-A, the Notification dated 30.04.2026, and applicable service rules, by passing a reasoned and speaking order on merit within ninety (90) days of receipt of a copy of this order. With these directions, the instant petition stands **disposed of**.

9. Office is directed to communicate a copy of this order to the Secretary, Livestock & Fisheries Department, Government of Sindh, Karachi (respondent No.1), for compliance through all available modes, including electronic transmission.

J U D G E

J U D G E

Abdul Basit