

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
C.P.No.D-667 of 2019

(Majid Ali Pathan v/s. Town Committee, Garhi Khairo)

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

1. For orders on office objections at flag "A".
2. For orders on M.A.No. 3859/2019 (E/A).
3. For orders on maintainability of M.A.No.3860/2019 (S/A).
4. For order on maintainability of main case.

23.09.2026

Mr. Habibullah G. Ghouri, Advocate for the Petitioner.

Mr. Liaquat Ali Shar, Additional Advocate General, Sindh, a/w Agha Fakhur, Secretary, Noorullah Khan, Additional Director, Local Government Department and Imdad Hussain Khokhar, Town Officer, Town Committee, Garhi Khairo.

Mr. Asif Ali Abdul Razzak Soomro, Advocate for the Respondents No.1 & 2.

ORDER

RIAZAT ALI SAHAR, J.:- Through the instant petition, the petitioner seeks directions to the respondents for release of arrears of his salary with effect from October 2016 till date, as well as payment of his future monthly salary.

2. Learned counsel for the petitioner contends that the petitioner was issued an Offer Order dated 11.07.2012 for appointment as Naib Qasid (BPS-01) in the Local Government Department, followed by an Appointment Order dated 12.07.2012. Pursuant thereto, according to him, the petitioner joined service and continued to receive his salary regularly till September 2016. Thereafter, however, his salary was stopped by the official respondents on the ground that his Appointment Order had been found to be bogus. Learned counsel maintains that the appointment of the petitioner was genuine and, therefore, prays that the petition be allowed.

3. Learned counsel for Respondents Nos.1 and 2 has filed parawise comments along with certain documents, which are taken on record. According to the comments, the Offer Order and Appointment Order purportedly issued in favour of the petitioner have, upon verification, been found to be fake and fabricated. It is further asserted that the alleged

joining report is also a managed/fabricated document and that the petitioner neither joined his duties nor performed any service at Town Committee, Garhi Khairo. It has also been stated that neither a Service Book nor any other service record pertaining to the petitioner is available in the official record of the said Town Committee. Learned counsel, therefore, submits that the petition is devoid of merit and liable to be dismissed.

4. Pursuant to notice, the Secretary, Local Government Department, Government of Sindh, Karachi, has appeared before this Court and drawn our attention to the statement filed on his behalf. It has been categorically stated therein that, upon completion of the verification process, no Appointment Order corresponding to the one relied upon by the petitioner was found available in the official record of the Local Government & HTP Department, Government of Sindh. It has further been stated that the purported Appointment Order does not correspond with the official record and is, therefore, alleged to be bogus, fake and fabricated.

5. When confronted with the aforesaid position, learned counsel for the petitioner controverts the submissions advanced on behalf of Respondents Nos.1 and 2 as well as those made by the Secretary, Local Government Department, and maintains that the Offer Order, Appointment Order, Joining Report and Service Book relied upon by the petitioner are genuine and authentic.

6. We have heard learned counsel for the parties and have carefully perused the available record. The controversy essentially revolves around the genuineness and authenticity of the purported Offer Order, Appointment Order, Joining Report, Service Book and other service record relied upon by the petitioner. While the petitioner asserts that these documents are genuine and that he actually served against the post in question, the official respondents have categorically disputed their authenticity and have taken the position that no corresponding record is available in the concerned Department. Thus, the matter involves seriously disputed questions of fact, the determination whereof would necessarily require a proper inquiry, examination of the original official record, verification of the relevant documents and, if required, recording of evidence. Such an exercise cannot appropriately be undertaken by this

Court while exercising its constitutional jurisdiction under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973.

7. Nevertheless, the allegations brought on record are of a serious nature. If public employment was secured, salary drawn from the public exchequer, or official record created or manipulated on the basis of forged, fabricated or unauthorized appointment documents, the matter cannot simply be left unattended. Conversely, if the appointment documents are found to be genuine, the person responsible for unlawfully withholding the petitioner's lawful service benefits may also be required to be identified and proceeded against in accordance with law.

8. In these circumstances, the Chairman, Enquiries & Anti-Corruption Establishment, Sindh, Karachi, is directed to cause a proper and impartial inquiry into the matter, particularly regarding the genuineness and issuance of the purported Offer Order dated 11.07.2012, Appointment Order dated 12.07.2012, Joining Report, Service Book and other relevant service record of the petitioner. The inquiry shall also ascertain whether any official or private person was involved in the preparation, issuance, procurement or use of any forged, fabricated or unauthorized document and/or in causing any wrongful payment or loss to the public exchequer. Upon conclusion of the inquiry, if any cognizable wrongdoing is disclosed, appropriate proceedings shall be initiated against all persons found responsible, strictly in accordance with law and after affording them due opportunity as required under the law.

9. Accordingly, without expressing any opinion on the genuineness or otherwise of the documents relied upon by the petitioner, or on the merits of the respective claims of the parties, the instant petition stands **disposed of** in the above terms.

Let copy of this order be transmitted to the Chairman Anti-Corruption Establishment, Karachi for compliance.

Judge

Judge