

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
C.P.No.D-992 of 2014

(Majid Ali v/s. S.S.P Shikarpur and others)

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of M.A.No.1506/2021 (C/A).

24.09.2026

M/s. Habibullah G. Ghouri and Javed Ahmed Soomro,
Advocates for the Petitioner.

Mr. Saeed Akbar Siyal, Assistant Advocate General, Sindh.

RIAZAT ALI SAHAR, J.:- The instant petition was allowed vide judgment dated 04.05.2021. The operative portion thereof reads as under:

“In the above circumstances we allow the petition and direct the respondents/competent authority to scrutinize the candidature of the petitioner for the post of police constable without taking influence from the fact of the case registered against the petitioner and if otherwise the petitioner found fit in all respect for the appointment, then his candidature may be processed for the appointment strictly under the Recruitment Rules for the said post within one month. However, it is made clear that since this petition was filed in the year 2014, therefore, if the age limit of the petitioner crosses after year 2014, then same may not come in the way of his appointment as police constable.”

2. Pursuant to the aforesaid judgment, the record and documents pertaining to the candidature of the petitioner, including his fitness certificate, were subjected to verification through the concerned Enquiry Committee. During such verification, it transpired that one Amanullah Kalhoro, Junior Clerk, had allegedly been issuing character-verification letters in favour of candidates who had failed the physical test in the General Recruitment Process, 2014. The record further reflects that the said official was subsequently dismissed from service on account of concealment of material facts before the Enquiry Committee constituted pursuant to the directions of the Hon’ble Supreme Court of Pakistan vide order dated 23.12.2015 passed in HRC No.16082-S/2015.

3. More importantly, the verification/enquiry report reveals that the petitioner himself had been declared unsuccessful in the physical examination conducted during the General Recruitment Process, 2014. Thus, the earlier stance attributed to the concerned S.H.O., namely that the appointment order had not been issued to the petitioner on account of his involvement in a criminal case, loses significance in view of the subsequent verification of the recruitment record, which discloses that the petitioner had failed to qualify the physical test.

4. A careful reading of the judgment dated 04.05.2021 shows that no unconditional direction for appointment of the petitioner was issued. Rather, the competent authority was directed to scrutinize his candidature without being influenced by the criminal case registered against him and to process his case for appointment only if he was otherwise found fit in all respects, strictly in accordance with the applicable Recruitment Rules. Since the record produced before this Court reflects that the petitioner had failed the requisite physical test, the condition upon which his candidature could have been processed for appointment was not fulfilled.

5. In these circumstances, no deliberate or willful disobedience of the judgment dated 04.05.2021 is made out so as to warrant exercise of contempt jurisdiction against the respondents.

Accordingly, M.A. No.1506 of 2021, being devoid of merit, stands dismissed

Judge

Judge

Manzoor