

HIGH COURT OF SINDH, BENCH AT SUKKUR

C.P No.D-741 of 2026

Present:

Justice Adnan Iqbal Chaudhry

Justice Muhammad Hassan (Akber)

Petitioner : Tayab Mukhtiar and others through
Mr. Badaruddin Memon, Advocate

Respondents 1 to 7 : Through Mr. Israr Ahmed Shah,
Assistant Advocate General Sindh along
with Syed Wafa Hussain Shah, Assistant
Director (Litigation) on behalf of Regional
Director, Sukkur

Date of order : 20.10.2026

ORDER

Adnan Iqbal Chaudhry J.- Order dated 22.04.2026 reflects that the petition survives only for Petitioners 1 to 3. The Petitioners, who were inducted in the College Education department of the Government of Sindh, were removed from service pursuant to findings by a scrutiny committee that their appointment was unlawful. Appeals to the Sindh Service Tribunal were dismissed by judgment dated 27.08.2024. Petitions for leave to appeal were made to the Supreme Court of Pakistan. By judgment dated 03.06.2025, the Supreme Court referred the matter to a scrutiny committee to be constituted by the Secretary, College Education Department, to verify if any Petitioner was covered in the earlier list of 166 employees whose appointment had been declared authentic by a report submitted by the Regional Director (College), Sukkur; and if so, to allow such Petitioner to join service subject to verification of documents. Apparently, the findings of the scrutiny committee were not in favour of the Petitioners. They contend that the scrutiny committee did not adhere to the guideline laid down by the Supreme Court, and therefore, they have filed a contempt application before the Supreme Court.

The grievance of the Petitioners now is that while the contempt application is pending before the Supreme Court, the College Education Department initiated a recruitment process to fill vacancies vide impugned notification dated 26.02.2026. Learned counsel for the Petitioners submits that unless three seats are reserved for them, they will not be able to join service if they prevail in the contempt application. On the other hand, the learned AAG Sindh submits that

the recruitment process has been initiated after verifying that the Petitioners' termination from service was lawful.

Against termination from service, the Petitioners have exhausted remedies up to the Supreme Court of Pakistan. Though it is submitted by them that the order of the Supreme Court was not fulfilled, it is acknowledged by them that such aspect can only be examined by the Supreme Court itself in the contempt application moved before it. Consequently, any interim relief in the meanwhile also falls within the domain of the Supreme Court. A constitution petition for such relief before the High Court is not maintainable. The petition is, therefore, dismissed.

JUDGE

Faisal Mumtaz/PS

JUDGE