ORDER SHEET
IN THE HIGH COURT OF SINDH, Karachi
Constitutional Petition No. D-3332 of 2023
(Dr. Syed Mehboobullah Hussaini & others versus Province of Sindh & others)

Date	Order with signature of Judge

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Muhammad Jaffer Raza

Date of hearing and order: 21.8.2026

Mr. Muhammad Nishat Warsi, Advocate for the petitioners

ORDER

Adnan-ul-Karim Memon, J. The Petitioners invoked the constitutional jurisdiction of this Court challenging the alleged unlawful, mala fide and non-transparent recruitment process undertaken by SESSI. They relied upon earlier judgments in CP Nos. D-5196/2017 and D-5343/2021, whereby this Court had directed that appointments in BPS-1 to BPS-15 be made strictly on merit through the Departmental Selection Committee after due advertisement, while appointments in BPS-16 and above were to be made through the Sindh Public Service Commission. They alleged that SESSI, despite these directions, issued advertisements from October 2021 to February 2023 and proceeded with walk-in interviews, third-party testing and appointments allegedly in violation of the prescribed rules, qualifications, domicile/PRC requirements and sanctioned vacancies. They further alleged favouritism, accommodation of ad-hoc employees, corruption and other irregularities, and challenged the advertisements, recruitment process, appointment of the testing service and constitution of the Selection Committees.

2. At the outset, learned counsel for the Petitioners submitted that although the recruitment process was challenged in 2023, subsequent appointments have been made pursuant to the earlier advertisements and are to be challenged through various applications, including an amendment application and an application under Order I Rule 10 CPC.

3. Upon being confronted with the legal position of the case being a fresh cause of action, learned counsel conceded that the Petitioners could still challenge the recruitment process and subsequent appointments by filing a fresh petition.

4. He is permitted to decide if the petitioners' cause still subsists, subject to all just exceptions as provided under the law.

5. Without touching the merits of the case, the petition is, therefore, disposed of.

JUDGE

JUDGE

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