

High Court time Limit matter
Most urgent



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
SINDH, KARACHI
No. Legal/CPO/34014-16 /22

Dated:-30.12.2022.

To.

The Deputy Inspector General of Police,
Information & Technology,
Sindh Karachi

The Assistant Inspector General of Police,
Establishment Sindh Karachi.

Subject:-

COPY OF ORDER DATED 20.10.2022 PASSED BY THE HONORABLE
HIGH COURT OF SINDH CIRCUIT COURT HYDERABAD IN .C.P NO. D-
2230 OF 2012 FILED BY SHAHZAD IQBAL & OTHERS V/S PROVINCE OF
SINDH & OTHERS.

Enclosed please find herewith copy of order dated 20.10.2022 passed
by the Honorable High Court of Sindh Circuit Court Hyderabad received in this office
through the Government of Sindh, Services General Administration & Coordination
Department, Karachi, vide letter dated 23.12.2022, for your information and further
necessary action, under intimation to this office.

Encl: (a.a)

DSP/Legal-II

For Asst. Inspector General of Police,
Legal-II Sindh Karachi

Copy submitted to the Section Officer (Appeals-II), Government of
Sindh, Services General Administration & Coordination Department, Karachi, for
information please.



COURT MATTER
MOST IMMEDIATE

No. SO (APLS-II) S&GAD/2(1079)/2022
GOVERNMENT OF SINDH
SERVICES, GENERAL ADMINISTRATION &
COORDINATION DEPARTMENT

Karachi dated the 23rd December, 2022

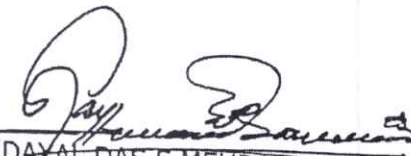
To,

1. The Chairman, Planning & Development Board, Government of Sindh,
2. The Chairman, Enquiries & Anticorruption Establishment Sindh, Karachi,
3. The Additional Chief Secretary (All), Government of Sindh _____
4. The Senior Member, Board of Revenue, Sindh, Karachi.
5. The Principal Secretary to Governor Sindh, Karachi.
6. The Principal Secretary to Chief Minister Sindh, Karachi.
7. The Chairman, Chief Minister's Inspection, Enquiries & Implementation Team, Karachi.
8. The Chairman Board of Investment, Sindh, Karachi.
9. The Administrative Secretaries (All), Government of Sindh _____
10. The Inspector General of Police Sindh, Karachi.
11. The Inspector General of Prisons Sindh, Karachi.
12. The Secretary, Provincial Ombudsman's Secretariat, Sindh, Karachi.
13. The Commissioners (All), Sindh _____
14. The Managing Director, Sindh Public Procurement Regulatory Authority, Karachi.
15. The Deputy Commissioner (All) Sindh _____
16. The Secretary, Sindh Public Service Commission, Hyderabad.

**SUBJECT: C.P.NO.D-2230 OF 2012 FILED BY SHAHZAD IOBAL AND FIVE OTHERS
VERSUS PROVINCE OF SINDH & OTHERS.**

I am directed to refer to the subject noted above and to enclose herewith a copy of order dated 20.10.2022 passed by Honorable High Court of Sindh, Circuit Court Hyderabad, received from Assistant Registrar (Writ), High Court of Sindh, Hyderabad, for necessary action in letter and spirit, under intimation to this department.

Encl: As Above


(DAYAL DAS S. MEHRANI)
SECTION OFFICER (APPEALS-II)

Copy is forwarded for information to:

1. The Assistant Advocate General, High Court of Sindh, Circuit Court, Hyderabad.
2. The Deputy Secretary (Staff) to Chief Secretary Sindh, Karachi.
3. The P.S. to Chief Secretary Sindh, Karachi.
4. The P.S. to Secretary (Services), SGA&CD, Karachi.
5. The P.S. to Additional Secretary (Services-II), SGA&CD, Karachi.
6. The P.S. to Deputy Secretary (Appeals), SGA&CD, Karachi.

LEGAL BRANCH CPO, SINDH
10733
28-12-22

SECTION OFFICER (APPEALS-II)

1/c CPB
for n/a
29/12

PRESENTED ON 11/11/2012
Additional Registrar

IN THE HIGH COURT OF SINDH CIRCUIT COURT, HYDERABAD

Constitutional Petition No.D/-2230 of 2012

1. Shahzad Iqbal son of Muhammad Iqbal, Adult, Muslim,
By caste Chauhan, resident of Ward No.1 Chandia
Nangar Badin town, Taluka and District Badin
2. Muhammad Qassim Moriani S/o Muhammad Hashim
Resident of 101 - DO Flats, Agrovil Colony, Badin
Taluka and District Badin
3. Abdul Hameed Unar S/o Abdul Sattar Unar
Resident of Peer Aati Shah Kot, Badin town
4. Ms. Nida Iqbal daughter of Iqbal Hussain
Resident of Quarter No. A -2, Agrovil Colony, Badin
5. Ms. Jameela Rajput daughter of Shabir Ahmed
Adult, Muslim, by caste Rajput, resident of Bagh
Mohalla Badin town
6. Ms. Mehrunnisa Memon daughter of Abdul Karim
Memo, resident of Ilyas Colony Badin town-----Petitioners

Versus

1. Government of Sindh through
Chief Secretary, Sindh Secretariat, Karachi
2. Secretary, Services and General Administration,
Government of Sindh, Sindh Secretariat,
Karachi
3. Secretary Finance
Government of Sindh, Sindh Secretariat, Karachi
4. Senior Member,
Board of Revenue Sindh, Hyderabad
5. Deputy Commissioner Badin-----Respondents

13/11/2012
10/11/2012

OS (11/11/12)
10/11/2012

HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

C.P No: D-2230 of 2012
[Shahzad Iqbal & Ors versus Government of Sindh & Ors]

BEFORE:

MR. JUSTICE MUHAMMAD IQBAL KALHORO
MR. JUSTICE ADNAN-UL-KARIM MEMON

Date of hearing & Order:
20.10.2022

Mr. Irfan Ahmed Qureshi, advocate for petitioners
Mr. Ayaz Ali Rajper, Assistant A.G Sindh

ORDER

ADNAN-UL-KARIM MEMON J.- Through this petition, petitioners mainly seek regularization of their services.

2. Mr. Irfan Ahmed Qureshi learned counsel for the petitioners submits that in the year 2002 Government of Sindh promulgated Local Government Ordinance, 2002 and virtue of said Act the system of District Government started working in District Badin under the Administration of Zila Nazim; that after introducing District Government systems number of various posts as well as projects were initiated for running the affairs of District Government Badin, as such, the District Government Badin appointed / engaged contingent staff on temporary basis on fixed wages in different Department of District; that the petitioners were appointed by Zila Nazim of that time (under the administration of office of the respondent No.6) on temporary basis by different orders in the year 2007 and were hired initially for the project of National Reconstruction Information Management System (NARIMS); that thereafter the petitioners were appointed in E-Government Project for online issuance of Domicile / PRCs of District Badin in the year 2008 under different orders; that after their appointment in the office of respondent No.5, the petitioners worked hard and zest they completely replaced the existing manual system with newly established system under E-Government Project in the month of April 2010; that petitioners also possess a good reputation in official circle and there is no any sort of complaint against them and they rendered their services for entire satisfaction of their superior authorities; however, they deprived of being regularized; that they approached

respondents for the purpose, who always kept them on false hopes, hence this petition.

3. Learned AAG; however, submits that different IT projects were started during the mentioned period and petitioners were appointed to different posts by the then Zila Nazim; that in the year 2008 E-Government project was initialized and petitioners were appointed in the said project on contract basis, which was extended from time to time.

4. We have heard learned counsel for the parties and perused the record with their assistance.

5. The record further reveals that the petitioners were appointed on contract basis and were in employment / service for several years; and it is not certain whether the Projects on which they were appointed have been taken on regular Budget of the Government or otherwise and whether, their status as Project employees has ended or otherwise. In view of the matter, we are of the view that the Government cannot adopt a policy of cherry-picking to regularize the employees of certain Projects while terminating the services of other similarly placed employees and they have to take decision on the subject issue without discrimination in terms of the dicta laid down by Hon'ble Supreme Court of Pakistan in the case of Government of Khyber Pakhtunkhwa and others Vs. Adnanullah and others (2016 SCMR 1375). The aforesaid exercise shall be undertaken within two months from the date of receipt of this order. The petition along with pending application(s) also stand disposed of in the above terms.

Sd/- Adnan-ul-Karim Memon, Judge
Sd/- Muhammad Iqbal Kalhoro, Judge
20/10/2022

CERTIFIED TO BE TRUE COPY

Assistant Registrar (Writ)

C.P. No. D/2230 of 2012 No. 3118/2022 Dated 31st of October, 2022

Copy forwarded for perusal and necessary compliance of the above noted Court's order to:-

- X The learned Additional Advocate General Sindh, Hyderabad.
- X The Chief Secretary Sindh, New Sindh Secretariat, Karachi.

RESPONDENTS:

1. The Government of Sindh through Chief Secretary, Sindh Secretariat, Karachi.
2. The Secretary, Services and General Administration Government of Sindh, Sindh Secretariat, Karachi.
3. The Secretary Finance Government of Sindh, Sindh Secretariat, Karachi.
4. The Senior Member, Board of Revenue Sindh, Hyderabad.
5. The Deputy Commissioner, Badin.

Assistant Registrar (Writ)