

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
C.P.No.D-392 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections at flag "A".
2. For orders on maintainability of main case.

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30.04.2025

Mr. Safdar Ali Ghouri, Advocate for the Petitioners.

Mr. Liaquat Ali Shar, Additional Advocate General, Sindh.

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By way of this petition, the petitioners have prayed for following relief(s):

- (a) That this Honorable Court may graciously be pleased to declare the act of respondents, omitting to upgrade the post of Store Keeper and not revising their Basic Pay Scale from BPS-06 to BPS-08 and onwards as unjust, discriminatory, violation of principles of natural justice and norms of equity.
- (b) That this Honorable Court may graciously be further pleased to direct the respondents to upgrade the post of Store Keeper and revise their Basic Pay Scale from BPS-06 to 08 and onwards from the date of Notification No.FD(SR-IV)2-70/2007, dated 17th August 2007 issued by Government of Sindh, Finance Department; and grant all the back benefits, keeping in view all the previous Notifications and upgradation of other posts by Government of Sindh, Finance Department or provide a mechanism for bringing the post of Store Keeper in the line of promotion with other clerical staff in the light of Judgment dated: 15.03.2010 of Honorable Supreme Court of Pakistan in Civil Petitions No.325 to 397 and 429 of 2010, wherein it has been held that once there is a policy and some of the departments have already been allowed to upgrade their posts then there should have not been any discrimination towards other departments.

On 20.03.2025, learned Additional Advocate General, Sindh had filed Statement on behalf of respondent No.1 dated 03.04.2024, para-3 of such statement was reproduced, which reveals that the petitioners after framing of rules have been promoted by virtue of Notification dated 29.03.2024.

Learned counsel for the petitioners when confronted with the above statement submits that the petitioners were appointed in the year 1987 onwards and the department had recruited some other persons in the year 2005, on some posts against Grade-08, therefore, petitioners being earlier appointee were deprived of their seniority and promotion in terms of their service structure, he therefore, submits that he will be satisfied if the petitioners are allowed to file proper application/presentation in terms of their claim as above. Learned Additional Advocate General, Sindh has no objection.

Accordingly in view of above as well as in view of the directions as contained in order dated 20.03.2025, instant petition is hereby disposed of. In case the petitioners may submit their applications/presentation before the Department within one month's time and same shall be heard and decided after due notice to all concerned within two months' time under intimation to this Court through learned Additional Registrar.

A copy of this order be sent through fax today to the respondents for compliance. Copy be also provided to the office of the Additional Advocate General, Sindh for correspondence and compliance.

Judge

Judge

Manzoor