

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
Constitutional Petition No. D-4415 of 2024  
(*Rabia Sohail versus Federation of Pakistan & others*)

Date	Order with signature of Judge(s)
	Before: Mr. Justice Muhammad Karim Khan Agha Mr. Justice Adnan-ul-Karim Memon

**Date of hearing and order:- 28.10.2025**  
Mr. Ali Asadullah Bullo advocate for the petitioner  
Ms. Wajiha Mehdi, Assistant Attorney General  
Ahmed Aseeb, Section Officer, Assad Mehmood, ASF  
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**ORDER**

**Muhammad Karim Khan Agha, J:**                      The petitioner has prayed as  
under:

*To declare that the impugned letter of suppression dated 14.05.2024 as illegal issued in violation of dicta laid down by the Supreme Court of Pakistan and set aside he same.*

*Direct the respondent to convene the meeting of department promotion committee and consider the of petitioner for promotion against the post of Deputy Director BS-18 in accordance with law.*

*Restrain the respondent from taking any coercive/adverse action against the petitioner and should conduct themselves strictly in according with law.*

2.        The case of the petitioner is that she was appointed as Assistant Director (BS-17) in the Airport Security Force (ASF) in 2013 through regular recruitment. Throughout her service, she received multiple commendations, maintained an unblemished record, and served diligently, including during the peak of COVID-19. Despite her seniority and satisfactory performance, her case for promotion to Deputy Director (BS-18) was not considered by the Departmental Promotion Committee (DPC) in 2023–2024, while her juniors were promoted vide Notification dated 01.04.2024.
3.        Counsel for the petitioner contended that the petitioner’s supersession violated statutory provisions, good governance, and fairness principles. He added that no reasons were communicated for her non-promotion despite a spotless service record, amounting to mala fide exercise of authority. It was further argued that under settled law, a civil servant must be informed of reasons for deferment or supersession, which was not done here, causing serious prejudice and career loss. In support of his contention he relied upon the case of Muhammad Saleem Khan v Secretary, Ministry of Defence Government of Pakistan and others **2009 SCMR 117**. The counsel prayed for acceptance of the petition.
4.        Learned AAG submitted that, under Section 22 of the Civil Servants Act, 1973 and relevant rules, no appeal lies on matters relating to promotion. She stated that promotion is not a vested right and depends on merit and performance. She pointed out that the DPC considered the

petitioner's case but found her below the required threshold (60 marks) due to poor service record, indiscipline, and violation of SOPs. Hence, she was rightly superseded.

5. This Court has heard the learned counsel for the parties and examined the record with their assistance.

6. The Airports Security Force (ASF) is a Federal Statutory Force constituted under Section 3 of the ASF Act, 1975, functioning under the Ministry of Aviation. Under Section 7A(1) of the said Act, ASF officers are subject to the Pakistan Army Act, 1952; however, their service matters, including appointment and promotion, are governed by the Civil Servants Act, 1973, and the rules framed thereunder. In terms of Section 22 of the Civil Servants Act, 1973, and Rule 4 of the Civil Servants (Appeal) Rules, 1977, no appeal lies on matters relating to promotion.

7. The record reflects that the petitioner, Assistant Director (BS-17) Rabia Sohail, was duly considered by the Departmental Promotion Committee (DPC) held on 25.03.2024 for promotion to Deputy Director (BS-18). However, owing to her adverse service record and repeated warnings for indiscipline and poor performance, she failed to secure the prescribed threshold of 60 marks under Rule 6(a) of the Civil Servants Promotion (BS-18 to BS-21) Rules, 2019. Accordingly, she was superseded, and the decision was communicated to her vide letter dated 14.05.2024.

8. At this stage, learned counsel referred to the petitioner's departmental appeal addressed to the Prime Minister, which remains undecided on the ground that, under Rule 4, no appeal lies. Let this aspect be examined by the competent authority after considering all relevant facts of the case.

9. In view of the material on record, without touching the merits of the case, her non-promotion was based on evaluation and service record. Therefore, this Court finds it appropriate to remit the matter to the competent authority of the respondents to reconsider her case on merits by providing a meaningful hearing to her, the subject exercise shall be undertaken within three months meanwhile her supersession will not come in her way while taking decision on merits.

10. Resultantly, the petition is disposed of in the above terms.

HEAD OF CONST. BENCHES

JUDGE