

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Constitutional Petition No. D-3243 of 2024
(*Khurram Pervaiz versus Senior Superintendent of Police & others*)
Constitutional Petition No. D-3244 of 2024
(*Kamran Khan versus Federation of Pakistan & others*)

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

Date of hearing and order:- 04.11.2025

Mr. M. Zakria advocate along with Ms. Humaira Jatoi advocate, for the petitioner
Ms. Wajiha Mehdi, Assistant Attorney General

ORDER

Muhammad Karim Khan Agha, J: The petitioners seek directions for their promotion from LDC (BPS-9) to UDC (BPS-11) along with fixation of seniority and all consequential benefits. He submitted that they were appointed as LDCs (BPS-7) on the Prime Minister’s Deceased Quota in Pakistan Railway Police, Karachi Division, vide order dated 02.08.2014, and later regularized through Notification dated 06.05.2021.

2. Learned counsel for the petitioners contends that respondents have unlawfully ignored their seniority and promoted other employees in collusion, despite the petitioners being more qualified and eligible. It is argued that such actions violate their constitutional and service rights. Reliance is placed on *Shafi Muhammad Mughal v. Secretary Establishment Division* (2005 PLC (CS) 679). He prayed to allow this petition

3. Conversely, learned AAG opposes the petition, terming it misconceived and based on the suppression of material facts. He submits that the petitioners do not belong to the clerical cadre but to the operational branch of the Pakistan Railway Police; hence, the relief sought is irrelevant to their service structure. The cited precedent, she argues, is distinguishable. She prays for dismissal of the petition with costs.

4. We have heard the learned counsel for the parties and examined the record.

5. In view of the foregoing, and without touching the merits of the case, the instant petitions stand disposed of with the direction to the competent authority of the respondents that as and when vacancies for promotion from LDC (BPS-9) to UDC (BPS-11) occur, the case of the petitioners shall be considered for promotion strictly in accordance with law, rules, and their seniority, along with their batch mates. No order as to costs.

HEAD OF CONST. BENCHES

JUDGE