

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P No.D-5612 of 2026

[Ahsan Mahmood V. Government of Sindh and others]

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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Before;
Mr. Justice Muhammad Saleem Jessar;
Mr. Justice Abdul Hamid Bhurgri.

- 1. For orders on Misc. No.22029/2026.
- 2. For order on office objection No.33.
- 3. For orders on Misc. No.22030/2026.
- 4. For hearing of main case.

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Date of hearing and Order:- 02.09.2026

M/s. Aurangzeb and Shehroze, Advocates for the petitioner.

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Abdul Hamid Bhurgri, J.- Through this Constitution Petition, the petitioner has prayed as under:-

- (a) *Declare that Order No. Asstt:/BOR/2026/Admn:1/1265 dated 25-08-2026, insofar as it accepts, without recorded reasons, the mass withdrawal from promotion of sixty-three (63) Sub-Registrars (Respondents No. 6 to 68) to the post of Inspector of Registration (BS-17), is arbitrary, unreasonable, and not sustainable in law;*
- (b) *Declare Order No. Asstt:/BOR/2026/Admn:1/1271 dated 27-08-2026, whereby the Order dated 25-08-2026 has been kept in 'abeyance till further order' without assigning any reasons, to be a non-speaking order, illegal, and of no legal effect;*
- (c) *Direct the Official Respondents to reconsider the matter of promotion of Respondents No. 6 to 68 and/or the filling of the resultant BS-17 vacancies afresh, in a transparent manner, strictly in accordance with law, the relevant service rules, and after affording due opportunity of hearing to all affected/interested parties, within a time-bound period to be fixed by this Hon'ble Court;*
- (d) *Pending final disposal of this petition, restrain the Official Respondents from keeping the matter indefinitely pending/in abeyance and direct them to finally decide the matter within a stipulated period:*
- (e) *Grant any other relief(s) that this Hon'ble Court may deem just, fair, and equitable in the circumstances of the case.*

2. Learned counsel for the petitioner submits that, pursuant to the recommendations made by the Departmental Promotion Committee of the Revenue Department in its meeting held on 06.05.2025, a number of Sub-Registrars (BPS-15) were

recommended for promotion to the post of Inspector of Registration (BPS-17) in the Registration Wing. He further submits that, vide Order No.Asstt:/BOR/2026/Admn:I/1265 dated 25.08.2026, the requests made by 63 Sub-Registrars for withdrawal from such promotion were accepted with the approval of the competent authority. Thereafter, vide Order No.Asstt:/BOR/2026/Admn:I/1271 dated 27.08.2026, issued by the Senior Member, Board of Revenue, Sindh, the promotions of the aforesaid 63 Sub-Registrars were kept in abeyance until further orders.

Learned counsel contends that the impugned orders do not disclose any lawful justification, cogent reason or exceptional circumstance for keeping the promotions in abeyance and are, therefore, non-speaking and arbitrary. He further submits that the petitioner has no personal, pecuniary or service interest in the outcome of the petition and has invoked the constitutional jurisdiction of this Court solely as a public-spirited citizen, purportedly to promote transparency, accountability and the efficient functioning of the Registration Wing of the Board of Revenue, Sindh.

3. We have heard learned counsel for the petitioner and examined the material available on record.

4. At the outset, learned counsel was confronted with the question as to how the petitioner could be regarded as a person aggrieved by the impugned orders. In response, he submitted that the rights of junior officers had been adversely affected and that the petition had, therefore, been instituted in the public interest.

We are not persuaded by this contention. Admittedly, the petitioner has no personal, pecuniary or service interest in the promotions in question, nor has he demonstrated the infringement of any of his legal or fundamental rights. The impugned orders relate to the service matters of specifically identifiable civil servants, none of whom has approached this Court or authorized the petitioner to agitate a grievance on his behalf. If any junior officer considers himself adversely affected by the impugned orders, it is for such officer to make an appropriate representation or avail himself of the remedy provided under the applicable service laws.

A person having no direct or substantial interest in an individual service dispute cannot assume the status of an aggrieved person merely by describing the proceedings as being in the public interest. The present controversy neither involves the enforcement of a collective or diffuse public right nor concerns persons who, on account of any legal or practical disability, are unable to approach the competent forum themselves. Rather, it concerns the individual service rights of civil servants for which a specific statutory mechanism is available. The jurisdiction of this Court cannot be invoked by way of public-interest litigation to bypass that mechanism or to prosecute claims on behalf of persons who are neither before the Court nor shown to be incapable of pursuing their own remedies.

The petitioner, therefore, lacks the requisite locus standi to maintain the instant petition.

5. For the foregoing reasons, the petition is not maintainable and is accordingly dismissed in *limine*, along with the listed applications.

JUDGE

JUDGE
HEAD OF CONST. BENCHES

Ayaz Gul