

ORDER SHEET  
HIGH COURT OF SINDH AT KARACHI  
C.P. No.D-3626 OF 2014

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DATE

ORDER WITH SIGNATURE(S) OF JUDGE(S)  
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**Present**

**Mr. Justice Muhammad Ali Mazhar**

**Mr. Justice Abdul Ghani Soomro**

Abid Hussain Jakhrani

.....

Petitioner

V/S

Province of Sindh & others

.....

Respondents

**19.09.2016**

Mr.Ahmed Ali Ghumro, Advocate for the Petitioner

Petitioner is also present.

Mr.Kazim Raza Abbasi, Advocate for the Respondent Nos.4 and 5.

Mr.Abdul Jalil Zubedi, A.A.G.

Mr.Karim Siddiqui, Director (Admn) STEVTA and Mr.Shaukat Abbas, Ex-Director Legal, STEVTA are also present.

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**Muhammad Ali Mazhar, J.** The petitioner has approached this court for direction against the respondents to consider him for promotion to the post of Professor (BS-20). He further prayed for declaration that the respondents have no authority to defer the case of the petitioner for promotion on baseless allegations without lawful authority.

2. Basically the petitioner relied on the working paper available at page-69 of the court file, in which the name of the petitioner is at Sr.No.1 in the seniority though he was at that time under suspension. The respondent Nos.4 and 5 filed their written statement through their counsel. Mr.Karim Siddiqui, Director (Admn) STEVTA submits that the working paper was wrongly issued, which was subsequently recalled by the Managing Director and he stated that the name of the petitioner in the Seniority List is at Sr.No.9, however, he admits that at present there is no inquiry pending against the petitioner nor he is under suspension and his record is clean. He further submits that the DPC will be held in accordance with Seniority List. He has also pointed out page-65, which is Seniority List of Associate Professors

(BS-19) as stood on 15.01.2013, in which the name of the petitioner was at Sr.No.1, however, he further stated that the seniority list was revised in the year 2015 and still it is a draft Seniority List at provisional stage and not finalized. They have also received objections and the Director (Admn) undertakes that before finalizing the seniority list objections of the petitioner will also be heard and he will be given ample opportunity of hearing to defend his seniority and place all relevant material on record.

3. To a question raised by this court, as to why the working paper was withdrawn or cancelled, which was made in accordance with seniority stood on 15.01.2013, the Director (Admn), undertakes that in this regard also inquiry will be conducted and the petitioner will be heard. Learned counsel for the petitioner submits that some restraining orders may be passed that till such time seniority is determined or decided for the Associate Professor Cadre (Related Studies) (BS-19) no D.P.C. would be conducted. The Director (Admn) undertakes that entire exercise will be completed within a period of one month and till such time no D.P.C. will be convened for promotion of Associate Professor Cadre (Related Studies) (BS-19). The petition is disposed of along with pending application accordingly.

4. The compliance report shall be submitted through M.I.T-II of this court within 35 days time.

Judge

Judge