

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P.No.D-1839 of 2006

Date

Order with signature of Judge

Present:

Mr.Justice Muhammad Ali Mazhar
Mr.Justice Abdul Maalik Gaddi

Ghulam Mohiyuddin Siddiqui.....Petitioner

V E R S U S

Federation of Pakistan & another.....Respondents

Date of hearing: 19.01.2017

None present for Petitioner.
Mr. Muhammad Altaf, holding brief for
Mr. Usman Sheikh, Advocate for Respondent No.2.

Muhammad Ali Mazhar, J: On last date of hearing also we called the matter twice but nobody appeared for the petitioner. However, in the interest of justice we directed the office to issue intimation to the learned counsel for the petitioner to ensure his appearance but again nobody is present for the petitioner. In fact the petitioner has prayed for the directions against the respondent No.2 to promote the petitioner w.e.f. 01.12.2002 as Senior Vice President and Senior Executive Vice President w.e.f. 01.01.2006 with all monetary benefits. He further prayed to this court to take judicial notice of item "Ineligibility" in PR-Policy 2006 by the respondent No.2 as submitted in ground No.4 of the petition. The R&P of C.P.No.D-2001/2006 is also attached which was disposed of by this court on 13.05.2010 on the basis of statement given by the learned counsel for the National Bank of Pakistan that the case of the petitioner for his promotion will be considered in accordance with the rules and the decision will

be taken as early as possible, therefore, on this statement the petition was disposed of. Though nobody is present for the petitioner but this is the case of promotion which is pending since 2006 and at this stage we are not aware whether the petitioner is in job or not and the Associate of Mr. Usman Sheikh, learned counsel for National Bank of Pakistan is also not aware regarding the facts of the case. Even otherwise, the promotion cannot be claimed as a matter of right but is based on eligibility, seniority-cum-fitness. The respondents in their reply took the position that petitioner did not qualify for promotion as he failed to secure required marks. Since the seats were limited, therefore, only those candidates were promoted who secured required marks. The petition is dismissed. However, if any application or case of the petitioner's promotion is pending and he is in job, we expect that his promotion case will be decided by the Promotion Committee of National Bank of Pakistan in accordance with the law expeditiously.

Judge

Judge

Asif