

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD

C.P No.D-896 of 2012

DATE	ORDER WITH SIGNATURE OF JUDGE
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For Katcha Peshi.

16.10.2017.

Mr. Abdul Sattar Sarki, Advocate for petitioners.

Mr. Muhammad Ismail Bhutto, A.A.G alongwith
Shahabuddin Memon, Deputy Director, Local Government
on behalf of Secretary Local Government.

The petitioners are employees of Local Government Department and claim to be working as Tax Clerks (BPS-5) in District Council Hyderabad. By way of this petition they are seeking benefit of up-gradation of their posts. It is contended that since the date of their appointment in 80s they are working in the same grade and they are neither being promoted nor benefit of up-gradation of their posts is being allowed to them.

Mr. Abdul Sattar Sarki learned Counsel for petitioners has placed on record a copy of the order passed in Criminal Miscellaneous Application No.73-K of 2014, Criminal Original Petition No.13-K/2014 in C.A No.107-K of 2014 by Honourable Supreme Court, and a copy of order passed in C.P No.D-284 of 2011 by a Division Bench of this Court at Karachi alongwith the copy of an office order to support the case of the petitioners.

Learned A.A.G while referring to the comments has simply referred to a letter dated 25.02.2009 issued by the Finance Division (Regulation Wing), Government of Pakistan and has stated that the up-gradation is restricted only to the designations tabulated in Para 1 of Finance Division's O.M.No.F.6(4)R-I/2006 dated 29.06.2007. However, he has not placed on record the copy of the said letter to appreciate that the posts of the petitioners do not come within the designation referred

to in the said letter. He has not denied either that the Government of Sindh has upgraded the post of Junior and Senior Clerk in its several departments. At this juncture, learned A.A.G states that the case of the petitioners would be considered in accordance with law and in terms of the Finance Division's letter referred to above within two months and such compliance report will be submitted. Learned counsel for the petitioner is satisfied and seeks disposal of the petition in the said terms. The Petition stands disposed of accordingly.

JUDGE

JUDGE

Ali Haider