

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CP No.D-5539 of 2015

Order with signature of Judge

Present: **Muhammad Ali Mazhar and Agha Faisal, JJ.**

Abdul Ghafoor Bhuto

Vs.

Federation of Pakistan & Others

For hearing of main case

25.10.2019

Mr. Shua-un-Nabi, Advocate for the Petitioner.

Mr. Hussain Bohra, Assistant Attorney General.

Mr. Ziaul Haq Makhdoom, Advocate and Mr. Muhammad Azhar Mahmood, Advocate for respondents 2 to 4.

Muhammad Ali Mazhar J., Counsel for the respondent filed the comments earlier, but today he has supplied copy to the counsel for the petitioner who wants to argue the case as this matter is pending since 2015. The petitioner has sought the directions against the respondents 2 to 4 to consider the case for the promotion as the petitioner lodged the grievance that his juniors were promoted with effect from 23.1.2015. He further prayed that directions may be issued to the same respondents to restore his seniority. Whether the petitioner is eligible and fit for promotion or not this question is to be decided by the Departmental Promotion Committee/Selection Board constituted by respondent No.2 for dealing the cases of promotion of the employees. This is another aspect that the petitioner feels aggrieved for the reason that his juniors have been promoted but he was not considered by the DPC for the promotion which is in fact the bone of contention in this petition and for the same reason he also requests that his seniority may be restored after his promotion likewise his juniors. Learned counsel for respondents 2 to 4 argues that the petitioner was reinstated in service in 2017 and earlier he was dismissed from service on account of some charges of

misconduct. So far as the present claim of the petitioner with regard to his promotion and restoration of his seniority, the learned counsel pointed out last three lines of the comments in which it is clearly stated that the respondent company will consider case of the petitioner in accordance with rules and regulations before the DPC when such committee is reconstituted in future. This categorical statement gives clear impression and also showing the intention of the Management to consider case of the petitioner.

In view of the above circumstances, the petition is disposed of with directions to respondents 2 and 3 to make out the working paper of the petitioner and place his case for considering his promotion in the next DPC and communicate the minutes of the meeting to the petitioner.

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