

**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

**C. P. No. D – 226 of 2019**

**Arbab Chachar.....Petitioner.**

**Versus**

**Province of Sindh.....Respondent.**

**Before:**

Mr. Justice Muhammad Junaid Ghaffar

Mr. Justice Zulfiqar Ali Sangi

Date of Hearing: **07-12-2021**

Date of Decision: **07-12-2021**

Mr. Achar Khan Gabol, Advocate for the Petitioner.

Mr. Shahriyar I. Awan, Assistant A.G-Sindh.

**ORDER**

**Muhammad Junaid Ghaffar, J.** – Through this Petition, the Petitioner has sought the following prayer:

“(a) To direct the respondent to decide the application of petitioner for his promotion (from Superintendent BPS-17 to the Post of Officer Incharge BPS18), after considering its contents and after giving opportunity of hearing to the petitioner, as the application of the petitioner is pending since the year 2015 which was moved by him to respondent through proper channel.

**2.** Learned Counsel for the Petitioner submits that the Petitioner is working since 2015 in the present post in BPS-16 which stands upgraded to BPS-17; whereas time and again he has approached the Department to consider his promotion which has not been entertained and the Petitioner would be satisfied if the representation made by him is decided in accordance with law.

**3.** On the other hand, learned AAG has relied upon comments and submits that no meeting of Departmental Promotion Committee has been conducted; whereas no case is even otherwise made out on merits.

**4.** We have heard learned Counsel for the Petitioner as well as learned Assistant Advocate General and perused the record.

**5.** Insofar as Petitioner is concerned, it appears that he is working as Superintendent in BPS-16; whereas pursuant to decisions taken by the

Government of Pakistan as well as Government of Sindh, the post of Superintendents in BPS-16 across the board has been upgraded to BPS-17. On the other hand, the Petitioner now seeks his promotion from BPS-17 to a higher grade i.e. BPS-18. It further appears that neither the Petitioner is the senior most Superintendent; nor any seniority list has yet been finalized; whereas no meeting of the Departmental Promotion Committee has been convened for such purposes wherein the request of the Petitioner could be considered. This in fact is a case for no cause of action nor presently the petitioner could be aggrieved of any action of the respondents. Merely for the fact that from 2015, the Petitioner has not been promoted, no right is created; whereas even otherwise in fact after reaching BPS-16 from Grade-5, the Petitioner is already working in BPS-17 through up-gradation, therefore, no case for indulgence is made out; hence, this Petition being misconceived is hereby dismissed.

J U D G E

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Ahmad