

**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD**

C.P No.D-692 of 2017

**BEFORE: Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Adnan Iqbal Chaudhry**

Petitioner : *Through Syed Inayat Ali Shah,
Advocate.*

Respondents / OGDCL : *Through Syed Shafique Ahmed Shah,
Advocate.*

Respondent : *Through Mr. Ashfaqe Nabi Qazi, Asst.
Attorney General for Pakistan.*

Date of Hearing & Decision : *24.11.2021*

O R D E R

ADNAN-UL-KARIM MEMON, J:- *Through the instant petition, the petitioner has prayed as under:*

- a) Declare that the petitioner is entitled for equal treatment and rights by the respondents and no discrimination may be done with the petitioner.*
- b) Declare that to take continuous night duties from the petitioner for 22 years and especially for the years 2007 to 2010 when the petitioner was given duties 3.p.m to 7.a.m next day mostly, is against the law and the petitioner deserves special compensation.*
- c) Declare that the petitioner has successfully achieved all his job targets and completed additional assignments, hence has a right of equal treatment and very good remarks in his ACRs as per law.*
- d) Call the ACRs of the petitioner for the years 2007 to 2016 and after their scrutiny, direct the respondents to rectify the ACRs of the petitioner by giving very good remarks.*

2- *The petitioner seeks direction against the official respondents to promote him as per his length of service under law as he has been discriminated, so far as his promotion in the next rank is concerned. Per petitioner, the respondent – company has already accommodated the colleagues of the petitioner and the case of the petitioner is akin to their promotion case, as such, he is also entitled to the similar treatment as meted out with them.*

3- *Learned counsel for the respondents / OGDCL states that the case of the petitioner will be considered for due promotion under law and no discrimination will be meted out with him.*

4- *The petitioner, who is present in person, is satisfied with the statement of the learned counsel for the respondent – company and seeks disposal of this petition in the above terms. However, he states that his promotion is due with effect from 2010 vide office memorandum dated 01.10.2010.*

5- *Accordingly, this petition stands disposed of in terms of the statement given by the learned counsel for the respondent – company with the rider that the competent authority of the respondent shall consider the case of the petitioner for his promotion with effect from 2010, and the petitioner shall not be non-suited on account of average remarks in his ACR. However, it is made clear that the case of the petitioner shall be decided purely on merits.*

6- *The aforesaid exercise shall be undertaken within two (02) weeks, positively.*

JUDGE

JUDGE

Hafiz Fahad