

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI
CP D 1376 of 2021

Date	Order with signature of Judge(s)
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Priority

1. For order on office objection No.18
2. For hearing of CMA No.5799/2021
3. For haring of main case.

02.12.2022

Mr. Faizan Hussain Memon, Advocate for the petitioner
Mr. Ali Safdar Depar, Assistant Advocate General Sindh
Mr. Sadaruddin, Advocate for Respondent No.3 along with Manzoor Hussain and Shahnawaz Bhutto, Focal Person Sindh Small Industries Corporation

The petitioner filed this petition, five days prior to his retirement, seeking promotion from BS-18 to BS-19. The record reflects that in the year 2013 the petitioner was denied promotion, manifestly on the ground of fitness, and in such regard the petitioner's counsel admits that the departmental remedy was exhausted shortly thereafter. No further legal recourse was sought by the petitioner until on 23.02.2021, being almost eight years later and just five days prior to his retirement.

At the very onset the learned counsel for the petitioner was confronted with respect to *laches*, however, he remained unable to provide any cogent justification for the manifest delay of almost eight years. It is apparent that not only has the petitioner filed this petition late but even then there is no challenge herein to any order, whereby his claimed entitlement to promotion was denied. It is also before us that the petitioner stood retired mere a five days after preferring this petition and now his counsel seeks entitlement to pro forma promotion, however, the pleadings and the prayer clauses are devoid of any claim in such regard. In view hereof we find that this petition to be misconceived, hence, the same, along with pending application/s is dismissed.

Judge

Judge