

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI.**  
**HCA No. 257 of 2024**

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Dated                      Order with signature of Judge.

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Fresh case

1. For order on CMA No.1562/2024
2. For order on office objection a/w reply as at A.
3. For order on CMA No.1563/2024
4. For hearing of main case
5. For order on CMA No.1564/2024

**06.08.2024**

Mr. Malik Altaf Hussain, Advocate for the Appellant

Mr. Ziaul Haq Makhdoom, D.A.G.

Mr. Khalid Javed Khan, Advocate for the Respondents Nos.2, 4, 6, 8, 10, and 11.

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1.            Granted
  
3.            Granted subject to all just exceptions.

2, 4-5. This Appeal is directed against the Order dated 29.07.2024 made by learned single Judge of this Court in Suit No -1049 of 2024 (Muhammad Naseer Janjua and others vs. Federation of Pakistan and another) pending on the Original Side, whereby the operation of certain Notifications dated 03.07.2024 issued by the Appellant regarding the transfer/posting of various BS-20 officers of Inland Revenue Service was suspended.

Learned counsel for the Appellant has sought to contend that the learned single Judge fell into error while making the impugned Order by overlooking certain Judgments of the Supreme Court on the subject of Article 212 of the Constitution. Mr. Khalid Javed Khan, Advocate files Vakalatnama on behalf of the Respondents Nos.2, 4, 6, 8, 10, and 11, which is taken on record.

Whilst, the Appeal has been preferred on behalf of the Federal Board of Revenue through its Chairman, the authorization in favour of the officer who has purported to act on his behalf has not been placed on record.

Furthermore, a perusal of the impugned Order reflects that it is ad-interim in nature inasmuch the application on which the same had been made remains pending and is set to come up for hearing on 08.08.2024. As such it remains open to the Appellant to contest that application or indeed move an application under Order 39 Rule 4 CPC for setting aside the ad-interim Order. As such, we hereby dismiss the Appeal while leaving the Appellant at liberty to contest the matter in the pending Suit.

JUDGE

JUDGE