

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Const. Petition No. D-592 of 2019

Date	Order with signature(s) of Judge(s)
Priority	<div>1. For order on Misc. No.9071/2025</div> <div>2. For hearing of Misc. No.2634/19</div> <div>3. For hearing of main case.</div>

08.05.2025.

Mr. Nooruddin, Advocate for Petitioner.
Mr. Faisal Ghani, Advocate for Respondent.
Ms. Wajiha M. Mehdi, Assistant Attorney General.
Mr. Alam Zaib, Law Officer, State Bank of Pakistan.

Learned counsel for the petitioner when asked to argue the case he is unable to offer any arguments. Petitioner has retired on 04.03.2020 which is almost over 05 years ago. He seeks promotion. Learned counsel for the respondent submits that this petition has become infructuous in the light of the judgment passed by the Supreme Court of Pakistan in the case of National Bank of Pakistan v. Sajjad Ali Kakahel (2024 SCMR 12). Paragraph 12 of the aforesaid judgment is reproduced hereunder:-

“Having heard the learned counsel for the parties and going through the record, it is clear and obvious that the respondent had been superseded in 2010 which supersession was not challenged within a reasonable time. The constitutional petition filed by the respondent before the High Court suffered from laches. Further, the right that the respondent asserted and continues to assert to be granted proforma promotion for which there is no provision in the relevant service rule. This is coupled with fact that the respondent had already retired from service and received all his benefits due to him under the law. As such, we find that interference by the High Court in the matter at the stage that it interfered was not supported either by the relevant law or by any of the rules which governs the terms and conditions of employees of the petitioner/bank. We, therefore, find the impugned judgment to be unsustainable. Consequently, we convert this petition into appeal arid 15.12.2020 is accordingly set aside.”

As such, this petition in the light of above has become infructuous and the same is hereby dismissed alongwith pending applications.

HEAD OF CONST. BENCHES

JUDGE