

# THE HIGH COURT OF SINDH, KARACHI

**Before:**

**Justice Mohammad Karim Khan Agha**  
**Justice Adnan-ul-Karim Memon**

**CP No D- 2857 of 2022**

(Zafar Ahmed Khan & others v Province of Sindh & others)

**CP No D- 4133 of 2023**

(Zahoor Shah v Province of Sindh & others)

**Date of hearing and order:- 22.5.2025**

Mr. Muhammad Samiullah Soomro, advocate in  
CP No D- 2857 of 2022.

Muhammad Iqbal, petitioner No.4 present in person

Mr. Muntazir S. Mehdi, Additional Prosecutor General  
petitioner No.5 in CP No D- 2857 of 2022.

Mr. Muhammad Iqbal Khaskheli holding brief for

Mr. Naeem Iqbal advocate for respondent.

Mr. Ali Safdar Depar, Assistant A.G for respondent Nos. 1 & 2.

Along with Liaquat Ali

Abro, Nadeem Ahmed Quresh, Law officer,  
Law Department Government of Sind.

## **ORDER**

**Adnan-ul-Karim Memon, J.,** These petitions seek the upgradation of the Additional Prosecutor General (BPS-19) post, currently held by the petitioners since 2018. As this is an isolated post with no further promotion avenues, the petitioners submitted that for upgradation until a proper service structure and promotional policy must be established. They highlighted discrimination, submitting that similar posts in other departments, such as Law Officer, Deputy District Attorney, Prosecution Inspector, Private Secretary, and Senior Private Secretary, have already been upgraded under similar circumstances.

2. These petitions, filed by Additional Prosecutors General (BPS-19) appointed since 2018, seek the upgradation of their isolated posts. Petitioners, with over ten years of legal experience, argue that despite being appointed through the Sindh Public Service Commission, the absence of a service structure or promotion policy since 2007 has resulted in their stagnation and discriminatory treatment. They highlighted that other posts within the Law Department and other government departments, such as Deputy District Attorneys, Prosecution Inspectors, and Private Secretaries, have been upgraded under similar circumstances. The petitioners contend that the Law Department has deliberately avoided addressing these issues, despite government directives to collect details of isolated posts for upgradation. They assert their right to equal treatment and protection under the Constitution, citing Articles 4, 5, 9, 18, and 25, which guarantee legal protection, obedience to law, security of person, freedom of profession, and equality before the law, respectively.

3. The learned AAG acknowledged the petitioners' request for upgradation due to the isolated nature of their posts and the lack of a service structure. However, citing a Supreme Court judgment **2013 SCMR 1752** (Civil Review Petition No. 193/2013) that discourages upgradation without departmental restructuring, they deferred to the Administrative Department for details on service structure and promotions, requesting to be excluded from the petition.

4. Faced with this legal point, the petitioners, who are representing themselves, asked to withdraw their petitions. They stated that the department had already submitted a summary to the Chief Minister of Sindh regarding the subject matter. This request appeared reasonable and is granted. These petitions are therefore disposed of as withdrawn, without a decision on the merits of the case and with no order as to costs.

JUDGE

HEAD OF CONST. BENCHES

SHAFI