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PROCESSED  
26 / 2 / 13

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NATIONAL SECURITY

D-1054

. . Petitioner

V E R S U S

- ### Respondents

CONSTITUTIONAL PETITION UNDER ARTICLE 199  
OF THE CONSTITUTION OF THE ISLAMIC REPUBLIC  
OF PAKISTAN, 1973.

**ORDER SHEET**

**THE COURT OF SINDH BENCH AT SUKKUR**

C.P.No.D 1054 of 2013.

(29)

- 1.For orders on office objection at Flag.A.
- 2.For orders on CMA 3614/13.
- 3.For orders on CMA 3230/13.
- 4.For Katcha Peshi.
- 5.For orders on CMA 3231/13.

09.04.2013. Mr.Muhammad Arif Malik advocate for petitioner.

The petitioner has impugned the posting of respondent No.3 as Assistant Engineer in Highway Sub-Division, Khangarh District Ghotki.

At the very out-set learned counsel for the petitioner was confronted with Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, and directed to show whether the petitioner is an aggrieved person in terms of above Article, he very candidly conceded that neither the petitioner is employee of Highway Department nor has any nexus with the affairs of Highway Sub-Division Khangarh but his grievance is that since the respondent No.3 is Sub-Engineer, therefore he cannot hold the additional charge of vacant post of Assistant Engineer Highway Sub-Division, Khangarh.

Since the petitioner is not an aggrieved person in terms of Article 199 of the Constitution, therefore, we are of the considered view that the petitioner has no locus standi to invoke the extra ordinary constitutional jurisdiction of this Court; hence the instant petition being devoid of merits, is dismissed alongwith listed applications. However, Secretary, Works & Services Department, Government of Sindh, is directed to ensure that no officer shall be posted

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**THE COURT OF SINDH BENCH AT SUKKUR**

beyond his grade, even, no additional charge shall be assigned to any junior officer when the senior officers are available in the department. Copy of this order be sent to the concerned Secretary through FAX for information and compliance.

  
JUDGE

  
JUDGE

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