

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, AT KARACHI**

**CP No.D-613 of 2024**

( Qamar Ali Qureshi and 9 Others v. Federation of Pakistan and 2 Others )

**CP No.D-614 of 2024**

( Shahzad Waheed and 11 Others v. Federation of Pakistan and 2 Others )

**CP No.D-4358 of 2024**

( Tufail Ahmed Kazi v. Federation of Pakistan and 2 Others )

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Date

Order With Signature(s) of Judge(s)  
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1. For hearing of CMA No.2926/2024
2. For hearing of main case

**17.09.2025**

Mr. Rafiq Ahmed Kalwar, Advocate for Petitioners (in all Petitions)  
Mr. Muhammad Javed Khalid Raan, Deputy Attorney General  
Malik Khushhal Khan Awan, Advocate for Respondent/NBP

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Arguments heard. Learned Counsel for Petitioners has referred to earlier Decisions of this Court starting from 13.03.2013, passed in CP No.D-417 of 2010, maintained by the Hon'ble Supreme Court of Pakistan in Civil Appeal No.1644 of 2013, then Peshawar High Court in WP No.D-2228-P of 2013, again maintained by the Hon'ble Supreme Court of Pakistan in Civil Petition No.5435 of 2018 and lastly, has referred to the Order dated 22.04.2025, passed in CP No.D-4213 of 2023, the relevant part whereof is reproduced as under:-

***"It is correctly pointed out by the learned Counsel for the Respondents-NBP that the Petitioner did not appear before the Board / Committee in his interview on the 'advice' of his Counsel. Notwithstanding this aspect, we dispose of this Petition along with all pending application(s), if any, with the following directions\_***

- i. That the case of the Petitioner for promotion should be immediately considered by Respondent No.2 as per its Service Rules and Policy, so also in view of earlier Decisions of this Court and the Honourable Supreme Court regarding the subject as mentioned hereinabove;***
- ii. With regard to the litigation clause in the Policy [as referred above], it is suffice to observe that even if that clause is existing, it is illegal and cannot be enforced against any of the employees, while considering his case for promotion."***

The crux of the arguments is that when distinction between MTO (Management Trainee Officer) and Non-MTO Cadre was set-aside by the

Courts, then the Petitioners of all these title Petitions should have been promoted by the Promotion Committee of Respondent-NBP (National Bank of Pakistan). With regard to the monetary claim of back benefits as stated in Prayer Clause 'B', during the course of arguments, it is not pressed by the Petitioners' Counsel.

All these Petitions are opposed by the Counsel for the Respondent Bank and states that the Rules of Respondent Bank are now non-statutory. In this regard, he has referred to the Correspondence dated 16.04.2021 issued by the Government of Pakistan Finance Division (Page-51 with Parawise Comments).

When confronted with the main controversy about the discriminatory treatment, it is categorically stated by the Respondent's Counsel that under the existing Promotion Policy 2023, no distinction has been made between MTO (Management Trainee Officer) and Non-MTO Cadre. Since controversy has been narrowed down in view of the above statement, therefore, without going into the other issues, we dispose of these Petitions in the following terms\_

- i. That the cases of the Petitioners for promotion should be immediately considered by Respondent No.2 as per its Service Rules and Policy, so also in view of the earlier Decisions of this Court and the Honourable Supreme Court regarding the subject as mentioned hereinabove.
- ii. The Promotion Committee will consider this aspect that the distinction between the two Cadres was done away with through the Decision of this Court way back on 13.03.2013. It is expected that Respondent Bank will decide the cases of all these Petitioners expeditiously, in order to avoid some adverse consequences against Respondent-NBP.

Accordingly, the Petitions stand disposed of along with pending application(s), if any. Office to place a copy of this Order in connected Petitions.

**JUDGE**

**JUDGE**