

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Const. Pett. No.D-10 of 2026

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
-----------------	-------------------------------

Fresh case

1. *For orders on CMA No.29/2026 (U/A)*
2. *For orders on office objections at flag 'A'*
3. *For orders on CMA No.30/2026 (Ex/A)*
4. *For hearing of main case*

06.01.2026

Petitioner Muhammad Aslam present in-person

1. Granted.
2. Deferred for the time being.
3. Granted subject to all just legal exceptions.
4. Through the instant Constitutional Petition, the petitioner, a civil servant, has called into question the adverse remarks recorded in his ACR and has sought their expunction along with consequential relief.

At the outset, it may be observed that grievance raised by the petitioner squarely pertains to service matters, namely the assessment of performance and recording of remarks in the ACR by the competent authority. Such matters fall within the exclusive domain of the service structure and are governed by the relevant statutory rules as well as the departmental mechanisms provided for redressal of such grievances. Article 212(2) of the Constitution of the Islamic Republic of Pakistan expressly bars the jurisdiction of this Court in respect of matters relating to the terms and conditions of service of persons in the service of Pakistan, which includes evaluation of performance and recording of confidential reports.

It is by now a well-settled principle of law that adverse remarks recorded in an ACR cannot be assailed through a constitutional petition when an adequate and efficacious departmental remedy is available. Nor can this Court sit in appeal over the subjective assessment made by the competent authorities, unless the case falls within the recognized exceptions such as mala fides, lack of jurisdiction, or violation of mandatory statutory provisions, none of which are even remotely attracted in the present case.

In view of the constitutional bar contained in Article 212(2) of the Constitution and the settled legal position, the instant Constitutional Petition, being not maintainable, is accordingly ***dismissed in limine***. However, this shall not preclude the petitioner from availing the alternate remedy available to him under the law by approaching the appropriate forum for redressal of his grievance, if so advised.

J U D G E

J U D G E

*M.Ali**