

THE HIGH COURT OF SINDH KARACHI

Before:

Mr. Justice Muhammad Saleem Jessar

Mr. Justice Nisar Ahmed Bhanbhro

C.P. No. D – 1693 of 2026

[Imtiaz Ahmed Mangi versus Province of Sindh & others]

Petitioner : Imtiaz Ahmed Mangi through Ms. Laraib Awan, Advocate.

Respondents 1-4 : Province of Sindh & 03 others through Mr. Faizan Hussain Memon, Additional Advocate General, Sindh

Respondents 5-13 : Nemo.

Date of hearing : 13-05-2025

Date of decision : 13-05-2025

ORDER

Muhammad Saleem Jessar, J. - Through this petition, the Petitioner claims following relief(s):

- a. *That posting of the Petitioner as OSD vide notification dated 04.06.2025 is ultra vires of Service Laws and Article 4 of the Constitution of Pakistan and Respondents be directed to post him against the appropriate post of BS-18 in his cadre till he is promoted to the next higher grade.*
- b. *That the impugned suspension notification dated 28.07.2025 may be declared as null and void having been issued by the incompetent authority and without due course of law.*
- c. *That this Honorable Court would be pleased to declare that the regular promotion of the Respondent No. 5 to 13 and determination of their fitness to hold the post of BS-19 is void-ab-Initio, malafide and violative of Article 189 of the Constitution.*
- d. *That deferment of the Petitioner by the Provincial Selection Board II in its meeting held on 26.02.2026, may be declared as illegal and consequently, to direct the Respondents to place the case of Petitioner in PSB-II and consider him against the post of Ex-PCS (BS-19) and till then a vacant post may be reserved for him in compliance of Rule 13 of Sindh Civil Servants Promotion (BS-18 to BS-21) Rules 2022.*
- e. *Any other relief may kindly be granted which this Hon'ble Court may deem fit and proper under the circumstances of the case."*

2. Counsel for the Petitioner submits that the Petitioner is an officer belonging to BPS-18 (Ex-PCS Cadre). Learned counsel

contends that a false and frivolous complaint was lodged against the Petitioner, pursuant where to an explanation was sought from him, to which he duly submitted his reply. She further submits that even prior to the issuance of the said explanation, the Petitioner was directed to report to Respondent No.3 vide Notification dated 04.06.2025, and since then he has been serving as OSD under Respondent No.3. Learned counsel further argued that subsequently the Petitioner was placed under suspension. Aggrieved thereby, the Petitioner approached this Court through CPD No. 4662 of 2025, *inter alia* seeking redress on the ground that despite his suspension, no inquiry proceedings had been initiated against him. The said petition was disposed of with a direction to the competent authority to conclude and decide the disciplinary proceedings within a period of two months. She lastly contends that the Petitioner has been subjected to mala fide treatment and victimization; hence, the impugned posting of the Petitioner as OSD is unlawful and liable to be set aside. She therefore prayed that instant petition may be allowed in terms of the prayers made therein.

2. At the very outset, learned Additional Advocate General, Sindh, places on record a statement dated 13.05.2026 along with annexed documents, which are hereby taken on record. He submits that the notification whereby the Petitioner was posted as OSD has since been withdrawn. However, he further submits that the Petitioner is presently facing inquiry proceedings, and the same shall be conducted strictly in accordance with law and after affording due process to the Petitioner. Therefore, he prayed that instant petition may be disposed of in said terms.

3. Heard learned counsel and perused the material available on record.

4. Since the principal grievance of the Petitioner has been redressed and the notification regarding his posting as OSD has been withdrawn, it is expected that the competent authority shall

consider the Petitioner for posting against an appropriate post commensurate with his entitlement and service profile, in accordance with law. However, no interference is warranted in the ongoing inquiry proceedings, which shall proceed independently and be concluded strictly in accordance with the applicable rules and due process.

5. In view of the above, the purpose of instant petition stands served. Accordingly, the same is disposed of in the above terms.

JUDGE
HEAD OF THE CONST. BENCH

JUDGE

***PS/SADAM**