

*Order Sheet*

IN THE HIGH COURT OF SINDH AT KARACHI

**Constitutional Petition No. D – 2387 of 2020**  
**Constitutional Petition No. D – 2428 of 2020**  
**Constitutional Petition No. D – 2429 of 2020**  
**Constitutional Petition No. D – 2520 of 2020**

Date	Order with signature of Judge
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**14.05.2020** :

M/S Nazar Muhammad Leghari, Zakir Leghari, Ahmed Ali Ghumro and Syed Shabbir Hussain Shah, advocates for the petitioners.

Mr. Hakim Ali Shaikh, Addl. AG Sindh a/w Qazi Shahid Pervaiz, Senior Member Board of Revenue Sindh.

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By consent, CMA No.11233/2020 filed in C.P. No.D-2387/2020 by intervener Mukhtiar Ali for joining the said petition as a petitioner, is allowed as prayed and the amended title dated 14.05.2020 filed by his counsel is taken on record.

The petitioners in all these petitions have impugned Notification dated 16.03.2020 issued by the Secretary to the Government of Sindh, Revenue Department, whereby the earlier Notification dated 02.03.2017 regarding combined seniority of the employees of Board of Revenue Sindh was recalled / withdrawn. In the impugned Notification, it was stated that the same was issued in pursuance of the order passed by this Court on 09.03.2020 in C.P. No.D-91/2019 as well as the orders of the Hon'ble Supreme Court mentioned therein. Comments / objections dated 14.05.2020 have been filed by Senior Member Board of Revenue Sindh, which are taken on record. He strongly asserts that these petitions before this Court are not maintainable. He, however, states that if the petitioners, and or any other person mentioned in the impugned Notification, are aggrieved by the impugned order in any manner and have any objection and or grievance regarding their seniority or recalling of their earlier promotion, they may file a representation before the competent authority of the Board of Revenue Sindh. He undertakes that such representation shall be decided by the competent authority within sixty (60) days through a speaking order strictly in accordance with law after providing opportunity of hearing to the petitioners. Learned counsel for the petitioners insist that these petitions are maintainable and the impugned Notification is liable to be set aside. Without prejudice to their said contention, they state that the petitioners have no objection if these petitions are disposed of in terms of the undertaking given by the Senior Member Board of Revenue Sindh. The Senior Member Board of

Revenue Sindh as well as learned counsel for the petitioners agree that till the final decision / order of the competent authority of the Board of Revenue Sindh on the representations filed by the petitioners, the impugned Notification shall remain suspended to the extent of the present petitioners.

Accordingly, by consent all these petitions and listed applications are disposed of with no order as to costs in terms of the above undertaking given by the Senior Member Board of Revenue Sindh ; and, as agreed by the parties, the impugned Notification shall remain suspended to the extent of the present petitioners till the final decision / order of the competent authority of the Board of Revenue Sindh on the representations filed by the petitioners. Needless to say any person aggrieved by the order / decision of the competent authority will seek his remedy before the competent forum in accordance with law.

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