

Order Sheet
IN THE HIGH COURT OF SINDH KARACHI
Constitutional Petition No. D –6275 of 2020

Before:

Mr. Justice Nadeem Akhtar

Mr. Justice Adnan-ul-Karim Memon

Noor Ahmed

Versus

District & Sessions Judge, District Central Karachi

Date of hearing & order : 16.12.2020

Mr. Ghulam Qadir Sasoli, advocate for the petitioner.

ORDER

ADNAN-UL-KARIM MEMON, J. Petitioner, who is serving at present as COC in BPS-16 in the office of District & Sessions Judge District Central Karachi, is aggrieved by the purported remarks i.e. below average regarding his speed and accuracy in typing in his Annual Confidential Report (ACR) / Personal Evaluation Report (`PER`) for the period from 01.05.2019 to 31.12.2019 whereby he has been placed in column "C" of the ACR proforma. Petitioner seeks to expunge these remarks.

2. Admittedly, the Petitioner is a Civil Servant and his case falls within the ambit of the Sindh Subordinate Judiciary Service Tribunal which has the exclusive jurisdiction in respect of matters relating to the terms and conditions of service of Civil Servants working in Sindh Subordinate Judiciary under the law and the petitioner has a right to file an appeal against the impugned order adversely affecting the terms and condition of his service before the Tribunal subject to the qualification provided therein.

3. Keeping in view the above-mentioned facts and circumstances of the case, we do not see any infringement of the right of the Petitioner which could be called in question by way of Writ Petition ignoring the hierarchy for redressal of the grievances of the officials of Subordinate Judiciary.

4. Considering the case of the Petitioner in the above perspective, we find this petition not maintainable under Article 199 of the constitution, which is dismissed in *limine*. However, the Petitioner may seek an appropriate remedy as provided under the law.

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