

**ORDER SHEET**

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,  
HYDERABAD**

C.P. No.D-963 of 2012

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Date Order with Signature of Hon'ble Judge (s)

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**Before;**

**Mr. Justice Arshad Hussain Khan**

**Mr. Justice Irshad Ali Shah**

1. For hearing on M.A. No.480/2012.
2. For hearing of main case.

**17.02.2021.**

Mr. Faheem Murtaza , Advocate for the petitioner.

Mr. Allah Bachayo Soomro, A.A.G.

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The petitioner by way of instant petition has sought for direction against the respondents to promote him as *Director Town Planning*.

On being asked as to how a direction could be issued by this Court for promotion of the petitioner being a public servant ignoring bar contained by Article-212 of the Constitutional of Islamic Republic of Pakistan, 1973?

In response to above, it was stated by learned counsel for the petitioner that such direction could be issued by this Court in exercise of its constitutional jurisdiction for the reason that the petitioner now has *retired* from *public service*. A retired employee/public servant could hardly be directed to be promoted by this Court in exercise of its constitutional jurisdiction.

Consequent upon above discussion, the instant petition being misconceived is dismissed along with listed application.

Judge

Judge

