

Order Sheet
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

C. P No. D – 2018 of 2017

Date	Order with Signature of Hon'ble Judge
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Hearing of case

1. For orders on office objection at flag 'A'
2. For hearing of main case

23.12.2021

Mr. Irfan Ali Soomro, Advocate for the Petitioner
Mr. Ghulam Shabbeer Shar, Advocate for Respondents.
Mr. Ali Raza Pathan, Assistant Attorney General.

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Through this Petition, the Petitioner has sought the following relief;

- (a) To declare the act of respondents not to consider the case of petitioner of own pay scale and time scale up-gradation is illegal, unlawful, improper, ab-initio, void and against the principles of natural justice, and directions may kindly be given to the respondents to decide the case of petitioner, as they have upgraded the time up-scale of other employees even after their retirement.
- (b) To declare that the petitioner is entitled for his time scale up-gradation and own pay scale, as the up-gradation of petitioner was due in the year of 1993 or onwards, but regrettably the petitioner was not allowed.
- (c) To direct the respondents to give financial back benefits to petitioner against higher post from 01.11.1993 till his retirement w.e.f year 2009 and re-fix his pension from period indicated above as well as continue the same in the future, and also be maintain the same in P.P.O book of petitioner, furthermore compensate the petitioner according to his due time scale up-gradation during his service and own pay scale in regard with enhancement, which was due in his salary and other service benefits till his retirement.
- (d). To grant any other relief, which deems fit and proper under the circumstances of the petition."

Admittedly, the Petitioner has retired in the year 2009; whereas, Policy on the basis of which the Petitioner claims up-gradation from BPS-16 to BPS-17 was introduced subsequently. Even otherwise, if there was any such Policy prior in time, the Petitioner ought to have applied for the same, which apparently he has not done.

In view of such position, no case is made out. Accordingly, this Petition being misconceived is hereby dismissed.

JUDGE

Ahmad

JUDGE