

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P No. D-2363 of 2021

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

Fresh Case.

1. For orders on Misc No.10177/2021.
2. For orders on office objection No.4 & 18.
3. For orders on Misc No.10178/2021.
4. For hearing of main case.

08.04.2021

Mr. Imtiaz Ali Isani petitioner present in person.

- 1) Urgency granted.
- 2) To be complied with within 07 days.
- 3) Granted but subject to all just exceptions.
- 4) This petition is primarily filed for consideration of the promotion of the petitioner in the rank of Police Inspector in BPS-16, with retrospective effect when his colleagues were promoted as Police Inspector in the year 2016. Petitioner, who is present in person has referred the judgment passed by the Hon'ble Supreme Court of Pakistan in Civil Petition 493, 495, 505 to 508, 529 to 523, 533, 601, 906 and 911 to 917 of 2015 and submitted that he was appointed as Assistant Sub Inspector (ASI) in BPS-09 in Criminalistics Division of Sindh Police, now renamed as Forensic Science Division, in the year 1993 under the Deputy Inspector General Technical and Training. Per petitioner, he was promoted to the post of Sub-Inspector in the year 1999, later on, confirmed on the said post in the year 2001. He asserted that his colleagues were promoted to the rank of Police Inspector under Police Rule 13.14, however, he was ignored for the reasons best known to the respondent-Police Department for which he raised the hue and cry but to no avail. Per petitioner according to the judgment as discussed supra the Hon'ble Supreme Court of Pakistan directed the Government of Sindh to issue the common seniority list of the Police Inspectors in all cadres, except for that cadre in respect of which separate rules had already been framed such as Women Police, Motor Transport, Telecommunication,

Police Music, and Band Unit, Special Branch, Bomb Disposal, and Prosecution Branch, etc (Forensic Division) but till today no any step has been taken to streamline the process of promotion in the Forensic Division. He pointed out that the case of the petitioner is akin to the case of his colleagues who had already been promoted in each Branch of the Police force/cadre under their strength of service. He referred to the West Pakistan Non-Gazete Technical Staff of Finger Print Bureau Service Rules 1969 as well as Police Rules 13.14 and submitted that he is entitled to be considered for promotion in the next rank along with his batchmates, who were appointed with him in the year 1993 and prompted in December 2016. He prayed for notice.

To appreciate whether the case of the petitioner falls within the purview of the principles of seniority and promotion as well as law laid down by the Hon'ble Supreme Court in the cases discussed supra or otherwise, let notice be issued to the respondents as well as to learned AAG for a date to be fixed by the office in the third week of this month.

JUDGE

JUDGE

shahzad