

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No. D-2210 of 2021

Order with signature of Judge

1. For order on Misc. No.9478/2021.
2. For order on office objection no. 04&18.
3. For order on Misc. No.9479/2021.
4. For hearing of main case.

12.04.2021

Mr. Manzoor Hussain Khoso, advocate for the petitioners.

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1. Urgency granted.
 2. Deferred for the time being.
 3. Exemption application is granted subject to all just exceptions.
 4. It is contended inter alia that the petitioner was appointed as Ticket Collector (TCR) in Grade-I in the year 1986 in Pakistan Railways, Karachi Division; and, subsequently was promoted to the post of Special Ticket Examiner (STE) in 2003. Per learned counsel he became eligible and was supposed to be promoted as Group Inspector Special Ticket Examiner BPS-15, in time, however, due to lethargic attitude on the part of Pakistan Railways, he could not get his due promotion in time; and, on the contrary, respondent No.4 who was appointed in the year 2004 was promoted to TCR Grade-II then promoted to TCR-Grade-III, now he is working as Divisional Inspector in Grade 16. Per learned counsel the promotion of respondent No.4 from TCR Grade II to TCR Grade III was/is unconstitutional and liable to be reversed. Learned counsel states that petitioner is qualified, fit, and eligible to be promoted in the next rank as discussed supra, based on his seniority cum fitness and length of service. Learned counsel cited various reasons of discrimination on account of out-of-turn promotion granted to the private respondents, in violation of the dicta laid down by the Hon'ble Supreme Court in its various pronouncements. He prays for direction to the respondent-Pakistan Railways for consideration of his case for promotion as per his seniority and requisite length of service. He further prays for the cancellation of the promotion of the private respondents.

To appreciate as to whether the petitioner's case falls within the purview of the promotion policy based on seniority cum fitness, length of service, let notice be issued to respondents as well as DAG for 05.05.2021 with direction to file comments on or before the next date of hearing.

JUDGE

JUDGE