ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 1190 of 2020

Date of hearing Order with signature of Judge

Hearing of case (priority)

- 1. For hearing of CMA No.5535/2020 (S/A)
- 2. For hearing of main case

<u>29-09-2021</u>

Syed Jaffar Ali Shah, Advocate for the petitioner. Mr. Zulfiqar Ali Naich, Assistant Advocate General Sindh.

Through this petition, the petitioner seeks the following prayers:

.-.-.-

- (i) This Hon'ble Court may be pleased to declare that respondent No: 4 (Administrator/Chief Officer District Council Khairpur/Deputy Commissioner Khairpur) is duty bound to allow the petitioner to join his positing as Chief Accounts Officer District Council Khairpur and perform his duties and functions in accordance with law.
- (ii) That respondent No: 4 be directed to accept joining of the petitioner as Chief Accounts Officer District Council Khairpur and allow him to perform his duties and functions.
- (iii) That respondent No: 1 to 3 be directed not to reshuffle, and make any further order except order dated: 27.10.2020 passed by respondent No: 1, whereby the petitioner is posted/transferred as Chief Accounts Officer District Council Khairpur.
- (iv) To award any other relief deemed fit and proper in circumstances of the case.

Comment were called from respondent No.4 and it has been stated in para 3 as under:

"3. That, Para No.5 & 6 are partly admitted, further it is submitted that on Dated 02-11-2020 the Respondent No.2 issued an Order No.SLGB/SCUG/AO/Accounts/2(47)/2020/Karachi, dated 27 October 2020, however, thereafter, the Respondent No.4 sent the above posting Order for verification to the Respondent No.2 as the post of Chief Accounts Officer is not exist in District Council Khairpur, moreover the Petitioner is in scale of BPS-18 and the post of Chief Accounts Officer in BPS-19, through till yet no such verification is received by our Department, hence the matter is pending."

In view of the above comments, since admittedly the petitioner is in BPS-18, the relief being sought cannot be granted. Accordingly, the petition is **dismissed**.

JUDGE

JUDGE

Abdul Basit