

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
CP. No. D- 4287 of 2020 &
CP. No. D- 2463 of 2020

Date Order with Signature(s) of Judge(s)

CP. No. D- 4287 of 2020

Direction

1. For order on CMA No.6636/2022 (151)
2. For hearing of CMA No.8398/2022 (contempt)

CP. No. D- 2463 of 2020

Direction

1. For order on MIT-II report dated 14.02.2022 & 17.02.2022
2. For hearing of CMA No.9341 of 2022
3. For hearing of CMA No.31872 of 2021

Date of hearing: 27.04.2022

Date of order: 10.05.2022

Mr. Abdul Salam Memon, advocate alongwith Ms. Rabya Javed, advocate for the petitioners in CP No. D- 2463/2020

Mr. Ali Safdar Depar, AAG alongwith Mr. Muhammad Saleem Rajput, Secretary (Services), Government of Sindh, Mr. Ghulam Ali Brahmani, Additional Secretary (Services-I), SGA&CD, Ms. Rabia Syed, SO-V, SGA&CD and Mr. Shahid A. Abro, Additional Secretary, Board of Revenue Sindh on behalf of Secretary Revenue

Mr. G.N. Qureshi, advocate for the petitioner Khalid Abdul Maroof in CP No. D- 4287/2020

At the outset, learned counsel for the petitioners submit that the purpose of filing of the listed applications shall be more served if the directions may be given to the Provincial Selection Board-II to comply with the directions passed by this Court while disposing off the main petitions.

2. Primarily, the matter has been set at naught by the Hon'ble Supreme Court of Pakistan vide order dated 19.1.2021 passed in Civil Appeals No.4189 to 491/2017 and 99-K to 104-K and Civil Petitions No.563-K to 565-K. As such, we are not in a position to modify the terms of the order of the Hon'ble Supreme Court and since the respondents have submitted compliance report of the order dated 19.1.2021 before the Hon'ble Supreme Court of Pakistan.

3. The Secretary, Services General Administration and Coordination Department, present in Court submits that there is no dispute so far as seniority upto Sr. No.41 is concerned and he requests for allowing the competent authority to convene the meeting of Provincial Selection Board to consider the cases of the ex-PCS officers (BPS-17) for promotion in BPS-18 upto the seniority list of 41.

4. In view of the consensus developed between the parties so far as Seniority List of Ex-PCS officers upto Sr. No.41, these listed applications stand dispose of with direction to

the competent authority to convene the PSB-II meeting within shortest possible time, and consider the cases of ex-PCS officers for promotion strictly in accordance with law and dicta laid down by the Hon'ble Supreme Court of Pakistan vide order dated 19.1.2021 passed in Civil Appeals No.4189 to 491/2017 and 99-K to 104-K and Civil Petitions No.563-K to 565-K. However, it is made clear that the aforesaid arrangement is without prejudice to the rights of the appellants and private respondents whose appeal is pending before the learned Sindh Service Tribunal.

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