

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

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

Direction

1. For order on CMA No.15128 of 2022 (12(2))
2. For order on CMA No.15129 of 2022 (Stay)
3. For hearing of Misc No.14024 of 2022

01.06.2022

Mr. Abdul Salam Memon, advocate assisted by Ms. Rabya Javed, advocate for the petitioners

M/S M.M Aqil Awan and Danish Rashid Khan, advocates for the applicants

Mr. Ali Safdar Depar, AAG alongwith Javed Ahmed Soomro Secretary Board of Revenue on behalf of Senior Member Board of Revenue, and Ghulam Ali Birhmani, Additional Secretary (Services) SGA&CD

1-3. Before we come to the facts in the instant Contempt Application as well as other Miscellaneous Applications filed under section 12(2) CPC, by the intervenors in a disposed of lis, praying therein that order dated 30.08.2021 may be recalled/set aside as the same is obtained by misrepresentation, fraud, and concealment of material facts, we need not examine the submission of the parties in detail. Learned AAG seeks thirty days for convening the meeting of the Departmental Promotion Committee {DPC} to consider the case of the applicants for promotion in BS-17, without prejudice to the rights of the parties whose matter is pending before the learned Sindh Service Tribunal.

Mr. Abdul Salam Memon learned counsel for the applicants has no objection to the proposal put forward by the learned AAG, however, he requests that the period may be reduced to ten days for convening the meeting of DPC.

Because of the consensus reached between the parties these listed applications are disposed of with the direction to the competent authority to convene the DPC meeting within 15 days, and consider the cases of Mukhtiarkars for promotion to BPS-17 strictly under the law, more particularly in terms of the ratio of the judgment passed by the Honourable Supreme Court in the case reported as **1985 SCMR 1158**; and without prejudice to the rights of the parties whose matter is pending before the learned Sindh Service Tribunal.

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