

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P No. D- 6283 of 2016

Date _____ Order with signature of Judge _____

Direction.

For hearing of Misc. No. 10621/22 (Contempt)

13.12.2022.

Mr. Imran Khan, Advocate for Petitioner.
Mr. Ali Safdar Depar, Assistant Advocate General along with Mr.
Abdul Jabbar, Deputy Secretary, Education Department.

Through this application, the Petitioner seeks alleged contempt of Order dated 18.08.2020, the operative part whereof reads as under:-

“It is unfortunate and disappointing that the draft rules have not been approved or finalized by the competent authority despite passage of seventeen (17) months and due to such inaction on its part, not only the petitioners, but all such employees, who are waiting for their promotion, are being prejudiced Accordingly we direct Secretary Services, General Administration & Coordination Department. Government of Sindh, to finalize the draft Recruitment Rules within thirty (30) days from receipt of this order. Upon finalization of the Recruitment Rule, the respondents shall place the case of the petitioners before the DPC for consideration of their promotion and shall decide the same strictly in accordance with law within thirty (30) days Compliance report in terms of this order shall be submitted by the respondents to MIT-II of this Court within fifteen (15) days of finalizing the petitioner's case. Let notice be issued to Secretary Services, General Administration & Coordination Department. Government of Singh as well as to both the respondents for compliance.

By consent, the petition and listed applications stand disposed of in the above terms with no order as to costs.”

From perusal of the above order it reflects that directions were given to finalize the Recruitment Rule(s) and thereafter Respondents were required to place the case of the Petitioners before the Departmental Promotion Committee for consideration of their promotion in accordance with law. Pursuant to issuance of notice, compliance report has been filed and today learned AAG submits that the Rules have been finalized and pursuant to such

Rules, the Petitioners are required to go through some training course, which the Petitioners have not done, and therefore, their case has not been placed before the DPC. It further appears that previously, another contempt application was filed and pursuant to filing of Compliance Report dated 15.02.2022, the Petitioners' Counsel had sought disposal of listed application. Now once again a contempt application has been filed.

After going through the record and the compliance report, we are of the view that the Order apparently stands complied with in its letter and spirit; whereas, the Petitioners are required to go through some training course; hence no case for contempt is made out, therefore, the contempt application, being misconceived, is hereby dismissed.

J U D G E

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Ayaz P.S.