

ORDER SHEET  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
CP D 1980 of 2023

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| DATE | ORDER WITH SIGNATURE OF JUDGE |
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**Fresh case**

1. For order on Misc. No.9601 of 2023
2. For order on office objection No.41
3. For order on Misc. No.9602 of 2023
4. For order on Misc. No.9603 of 2023
5. For hearing of main case

**20.04.2023**

Mr. Ghazi Khan, advocate for the petitioner

1. Granted. 3. Granted, subject to all just exceptions. 2, 4 & 5. The petitioners, representing themselves to be civil servants, have preferred this petition seeking promotion to the post of assistant sub inspector. In addition thereto, they also seek for this court to review the entire promotion process in the department from 2006 till date.

At the very onset the learned counsel was confronted with respect to maintainability hereof in view of the bar contained in Article 212 of the Constitution<sup>1</sup>, however, he remained unable to satisfy the Court on such count.

Promotion is predicated upon fitness coupled with eligibility and the said decision is best vested in the employer, to be exercised per the settled principles of law. Even otherwise, promotion, or the absence thereof, is an integral constituent of the terms and conditions of service, hence, proceedings in such regard attract the bar contained in Article 212 of the Constitution.

The plea for seeking and reviewing the record of the last two decades is also not maintainable, *inter alia*, as the writ jurisdiction is not amenable for determination of disputed factual controversies requiring inquiry and / or evidence<sup>2</sup>.

In view hereof, this petition is found to be misconceived, hence, the same and the listed application are hereby dismissed in *limine*.

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<sup>1</sup> Also denoted in the office objection.

<sup>2</sup> 2016 CLC 1; 2015 PLC 45; 2015 CLD 257; 2011 SCMR 1990; 2001 SCMR 574; PLD 2001 Supreme Court 415.