

ORDER SHEET  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**C.P. No.D-5468 of 2023**

Date

Order with signature of Judge

FRESH CASE:

1. For order on CMA No.25232/2023 (Stay).
2. For hearing of main case.

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**Dated; 14<sup>th</sup> November 2023**

Mr. Ali Asadullah Bullo, Advocate for Petitioner.

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1&2. Through instant Constitutional Petition, the petitioner, who is presently working as Deputy Director (Finance), PSQCA Head Office, Karachi, has impugned a Notification dated 06.11.2023 issued by Admini Officer, Pakistan Standards & Quality Control Authority, Ministry of Science & Technology, Government of Pakistan, whereby, according to learned counsel for the petitioner, petitioner has been transferred from the aforesaid post and posted him as Deputy Director (Finance) SDC, Lahore, with immediate effect till further orders. However, according to learned counsel for the petitioner, there is no post of Deputy Director (Finance) SDC at Lahore as per PSQCA Service Regulations, 2015. It has been further contended by the learned counsel for petitioner that without prejudice to hereinabove position, there is no mention by the competent authority, which in the instant case, the Ministry of Science & Technology as per Regulation No.3 of the aforesaid Regulations; therefore, even otherwise such transfer/posting Notification is without lawful authority. Per learned counsel, petitioner is a senior officer in BPS-18 whose DPC for promotion in BPS-19 was held, but the same has not yet been finalized, however, respondents intend to replace the petitioner by some junior officer in violation of law.

Malik Naeem Iqbal, Advocate has shown appearance on behalf of PSQCA, undertakes to file vakalatnama on the next date, however, waives notice of instant petition, claims its copy and requests for time to file comments/reply and under instructions submits that petitioner is being transferred on account of the judgment of Islamabad High Court, whereby, the employees of PSQCA in six posts upgraded, including the petitioner, were directed to be given personal hearing, thereafter, they have been reverted back to BPS-17, therefore, the petitioner has not disclosed the entire facts. Such contention of the learned counsel is disputed by the petitioner, who is present in Court alongwith his counsel.

Let notices be issued to the remaining respondents as well as to the D.A.G., to be served through first three modes, for **23.11.2023**, when comments/reply, if any, shall be filed with advance copy to the learned counsel for the petitioner. In the meanwhile, respondents may not take any adverse action against the petitioner pursuant to impugned notification till next date of hearing.

**ACTING CHIEF JUSTICE**

**J U D G E**

\*Farhan/PS\*

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