

# IN THE HIGH COURT OF SINDH KARACHI

## Present:

Mr. Justice Adnan Iqbal Chaudhry  
Mr. Justice Abdul Mubeen Lakho

C.P. No. D-5222 of 2024

[Tariq Asadullah Bhatti & others v. Federation of Pakistan & others]

1. For orders on Misc. No. 23112 of 2024.
2. For order on office objection Nos. 5 & 22.
3. For orders on Misc. No. 23113 of 2024.
4. For orders on Misc. No. 23114 of 2024.
5. For hearing of main case

Petitioners : Tariq Asadullah Bhatti & 03 others  
through Mr. Ali Asadullah Bullo,  
Advocate.

Date of hearing : 17-10-2024

Date of decision : 17-10-2024

## ORDER

**Adnan Iqbal Chaudhry J.** - Urgency granted. Exemption granted subject to all just exceptions.

The Petitioners are serving as Patrolling and Senior Patrolling Officers with the National Highway & Motorway Police [NHMP]. They claim to be prejudiced by a tentative seniority list of such officers issued by the department on 05.09.2024. Learned counsel submits that the tentative seniority list has been issued without first formulating Service Rules as required by order dated 03.10.2019 passed by the Supreme Court in C.P. No. 2442 of 2017.

Admittedly, the Petitioners are civil servants, and the tentative seniority list of which they are aggrieved is a matter relating to terms and conditions of service falling within the jurisdiction of the Federal Service Tribunal under the Service Tribunals Act, 1973. Learned counsel submits that the jurisdiction of the Tribunal under section 4 of the Act can only be invoked upon an order passed by the departmental authority, which order does not exist in this case. However, office order dated 05.09.2024, whereby the tentative seniority list has been issued by the department explicitly called for objections thereto within 10 days. It was therefore for the Petitioners

to file objections before the department against the tentative seniority list, and then, if need be, to approach the service Tribunal against any adverse order passed on those objections. If the Petitioners did not avail such remedy, we see no reason to entertain them in writ jurisdiction. With that observation, the petition is dismissed.

**JUDGE**

**JUDGE**

\*PA/SADAM