

**ORDER-SHEET**  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA**  
C.P.No.D-359 of 2016.

Date of hearing	Order with signature of Judge
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For orders on office objection at flag .A.  
For orders on MA No.2065 of 2016.  
For katcha peshi.

43

**29.09.2016.**

Mr. Ali Nawaz Junejo Advocate for the Petitioner.  
Mr. Ameer Ahmed Narejo, State Counsel alongwith Badaruddin  
Dhamraho, Deputy Director, on behalf of Director Schools  
Education Larkana/Respondent No.2 and Nawab Ali Khokhar,  
DEO, Larkana, Respondent No.3.

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It is alleged that petitioner was appointed in Education and Literacy Department as PST on 14.6.1987, thereafter she passed BA in the year 1993, MA in the year 1996 B.Ed in the year 1997 M.Ed in the year 1999 from Shah Abdul Latif University, Khairpur and in the year 2009, on the recommendation of Departmental promotion committee she was promoted to the post of HST in BPS-16 by EDO (E) Larkana, vide order dated 30.5.2009, and she was posted in Govt. Girls High School Dhamrah. Consequently; she joined her assignment as HST on 30.5.2009. It is case of petitioner that after promotion the petitioner approached to respondent for fixation of her pay in BPS-16 from 30.05.2009 and from year 2009 up till now she has been receiving the salary of PST instead of HST BPS-16. Hence she preferred this petition.

The respondents No.1,2, and 3, in consequent upon the notice issued by this Court, filed their comments wherein the order dated 19.9.2009 issued by Executive District Officer Education Larkana, has also been attached by Respondent No.2 and 3 with their comments, which reads as under:-

*"The promotion of 26 PSTs and JSTs to the post of High School Teachers BS-16 has recently been made on female side with the approval of Departmental Promotion Committee under this offices order vide No.EDO(E)W.B/772-98, /2/2009 Larkana dated 30.05.2009 against the set conditions and terminology based on 06 points laid down in the said orders.*

*On going through appeals, preferred by the Appellant teachers & consequent upon scrutiny of the relevant papers/certificates, followed by*

the verification of professional degrees of Bed. Based on the report of concerned Universities and with the approval of competent authority, the promotions of following newly promoted JSTs vide No. referred to above are hereby withdrawn/cancelled with retrospective effect according to para No.02 of the agreement/condition mentioned at their promotion and posting order.

S #	Name of the Teacher	Desg: with place of previous posting	Presently working as HST at
01	Mrs. Amina Abdul Sattar	JST. GGHS(LF)Lrk.	GGMS,B @ Kh. dero
02	Mrs. Farhatul-ain Jafferi	JST. GGHS Lrk.	GGMS Bakrani.
03.	Mrs. Bisartul-Ain Jafferi	JST. GGHS Lrk.	GGHSSLarkana
04	Mrs. Yasmin	PST,GGPS,F.G.Nabi Bugti	GGHS Dhamrah

Henceforth, above teachers are directed to report at their original, place of posting/ post, where from they were promoted. In case of non availability of the post over there, they should accordingly approach the undersigned through their relevant District Officer for further posting.

The counsel for the Petitioner submits that while passing this order the then DEO, Larkana neither issued any notice to Petitioner nor even given any opportunity of hearing and the petitioner is also not in the knowledge of said letter.

Be that as it may, it has come on record that the promotion of the Petitioner has already been recalled with the retrospective effect by the then DEO, Education Larkana, therefore, the Petitioner has no case for the fixation of her salary as HST in BPS-16. We; therefore, dismiss this petition being devoid of any merit. However, the petitioner is left at liberty to approach the competent forum for redressal of his grievance with regard to recalling of her promotion, if so advised and permissible under the law.

  
JUDGE

  
JUDGE