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ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C. P. No.D-1017 of 2015

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| DATE OF HEARING | ORDER WITH SIGNATURE OF HON'BLE JUDGE. |
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18.9.2015.

1. For orders on office objection.
2. For orders on M. A. No.4519/2015.
3. For orders on M. A. No.4520/2015.
4. For Katcha Peshi.
5. For orders on M. A. No.4521/2015.

Mr. Habibullah G. Ghouri, advocate for the petitioner.

Through instant petition, petitioners has prayed as under:-

- a) *That this Honourable Court may be pleased to issue a writ of prohibition restraining the respondents from creating harassment and hindrance in performance of lawful duty of Petitioner as Excise and Taxation Inspector at Excise, Taxation and Narcotics Police Station Kandhkot on the basis of impugned order dated 4th June, 2015 issued by respondent No.1 and this Honourable Court may further be pleased to declare the same as null and void.*
- b) *Award costs of the petition.*
- c) *Any other equitable relief be granted to the petitioner.*

Learned Counsel for the petitioner, *inter alia*, contends that petitioner alongwith 36 other officials of Excise and Taxation Department were reverted to their original post by giving reference to the directives of Hon'ble Supreme Court of Pakistan in Criminal Application No.89/2011 and other cases. Thereafter, being aggrieved petitioner filed C. P. No.D-2043 of 2014, whereby direction was issued that seniority list after his reversion be given to the petitioner within a period of 30 days; he further contends that notification dated 03.7.2013 is controversial and department has also raised question on issuance of this notification, which pertains to withdrawal of out of turn promotion of 36 persons.

The petitioner is seeking directions that he may not be harassed and disturbed on the basis of that notification. Such notification can be impugned before Services Tribunal as the petitioner is a civil servant and in our view such notification comes within terms and conditions of service. Accordingly, instant petition is dismissed.


JUDGE


JUDGE