

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
Constitutional Petition No. D-418 of 2024  
(Ahmed Ali & others versus Federation of Pakistan & others )

Date	Order with signature of Judge(s)
	Before: Mr. Justice Muhammad Karim Khan Agha Mr. Justice Adnan-ul-Karim Memon

**Date of hearing and order:- 05.11.2025**

Mr. Faizan H. Memon advocate for the petitioner  
Ms. Humaira Jatoi advocate  
Mr. Manzar Bashir advocate for respondent No.4  
Ms. Wajiha Mehdi, Assistant Attorney General.

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**ORDER**

**Muhammad Karim Khan Agha, J:**            The petitioners have prayed  
as under:-

1. *Declare that the failure of Respondents, their officers, subordinates, representatives, nominees, assigns, agents, anybody acting for and, on their behalf, to pay salary and allowances to the petitioners as per the decision of TDAP Board's 8<sup>th</sup> meeting held on 02.04.2021 is arbitrary, unfair, unjust, discriminatory, illegal, unlawful, unconstitutional and in violation of principles of natural justice;*
2. *Direct the Respondents their officers, subordinates, representatives, nominees, assigns and agents to revise basic pay scales of TPS employees w.e.f 01.07.2022 and pay arrears for the months of July 2022 to September 2022 allowances at the rate of current revised basic pay 2022 and 30% Adhoc Relief Allowance 2023 in accordance with office memorandum dated 04.07.2023 w.e.f. 01.07.2023;*
3. *Restrain the Respondents, their agents, subordinates, officers, representatives, assigns or anybody acting on their behalf from taking any adverse/coercive action against the petitioners.*

2. The case of the petitioners is that they are Assistant Managers/Deputy Managers (TPS-03/TPS-02) in Respondent No.3's office, alleged discriminatory treatment regarding pay and allowances compared to colleagues, despite their lawful appointment under the TDAP Act, 2013, TDAP Service Rules 2014, and TDAP Service Regulations 2021.

3. Counsel for the petitioners contends that the Respondents' actions are arbitrary, discriminatory, and infringe fundamental rights under the Constitution of Pakistan. They assert that the Respondents are legally bound to implement the TDAP Board's decisions, and failure to pay revised pay and allowances is unlawful, unjustified, and void ab initio.

4. Counsel for Respondent No.4 contends that the petition is frivolous, misleading, baseless, and without merit, and prays for its dismissal.

5. We have heard learned counsel for the parties and have perused the material available on record with their assistance.

6. Petitioners have urged that the respondents' failure to implement the decision of the Trade Development Authority of Pakistan (TDAP) Board in its 8th meeting on 02.04.2021, and the subsequent refusal to revise their basic pay scales w.e.f. 01.07.2022 and to pay the arrears for July–September 2022, along with TDAP-allowances on the revised pay and the 30 % Adhoc Relief Allowance 2023 w.e.f. 01.07.2023, constitutes, arbitrary and discriminatory treatment of the petitioners. It is also urged that such conduct prima facie offends the protection guaranteed under Article 25 and Article 27 of the Constitution of Pakistan, 1973 i.e., equality before the law, equal protection of the law, and freedom from discrimination in service.

7. Be that as it may, the petition is disposed of in terms that the respondents immediately reconsider their decision and if law allows, revise the petitioners' basic pay as per the TDAP Board decision and OM dated 04.07.2023 and pay all subject arrears and allowances, subject to all just exceptions as provided under the law. Compliance shall be made within 60 days and reported to this Court.

HEAD OF CONST. BENCHES

JUDGE

Shafi