

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D-1284 of 2026
(Ghulam Ali Wassan & others v Government of Sindh & others)

Date	Order with signature of Judge
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Before:-
Mr. Justice Adnan-ul-Kari Memon
Mr. Justice Zulfiqar Ali Sangi

Date of hearing and order:-08.4.2026

Mr. Akhtar Hussain Jabbar advocate for the petitioners
Mr. Abdul Jalil Zubedi, Assistant AG

ORDER

Adnan-ul-Kari Memo+, J The petitioners submit that they are qualified Mukhtiarkars who have long been serving on acting charge basis, performing full statutory functions, including duties as Assistant Returning Officers during the General Elections 2023–24, against clear vacant posts. It is added that despite fulfillment of all eligibility criteria and resolution of seniority disputes, the respondents have failed to convene Departmental Promotion Committee (DPC) meetings or have deliberately excluded the petitioners' cases, thereby stalling promotions from BPS-16 to BPS-18 and jeopardizing their seniority vis-à-vis incoming direct recruits on the subject sposts. Such inaction is arbitrary, discriminatory, and mala fide, as the petitioners are legally entitled to consideration for promotion to the next rank from the date vacancies arise, and departmental delays cannot defeat their service rights. Prolonged acting charge arrangements have also been deprecated by the Apex Court, as it creates uncertainty and prejudice to the right of the parties. The petitioners' legitimate expectation of timely consideration of promotion has thus been frustrated, causing both present and future irreparable harm. The petitioners, therefore, pray that this Court declare the respondents' inaction as illegal and direct immediate convening of DPC meetings, regularization of the petitioners with seniority from the date of vacancy or acting charge, and consideration of their promotions with all consequential benefits, while allowing them to continue against vacant posts till finalization.

2. After the hearing the matter at some length, at this stage, learned counsel for the petitioners has insisted on the disposal of this petition in terms of the order dated 04.2.2025, passed by this Court in Constitutional Petition No. D-321 of 2025, whereby the competent authority was directed to hold the relevant DPC at the earliest. The learned AAG submits that the matter needs to be looked into by the competent authority of the respondents, subject to their eligibility for promotion if any and availability of vacancy, and law and policy. The request seems to be reasonable and acceded to.

3. In view of the foregoing, and following the analogy adopted in Constitutional Petition No. D-321 of 2025, this petition is disposed of with directions to the competent authority of the respondents to consider the petitioners' cases strictly in accordance with law, if that all found eligible and entitled, their cases shall be placed before the relevant DPC for consideration, subject to all just exceptions as provided under the law and a decision shall be made expeditiously, preferably within two months.

4. However, it is clarified that no opinion on the merits has been expressed, and all questions are left open to be decided by the competent forum, as discussed supra.

5. Petition along with pending application(s) stands disposed of in the above terms.

Let a copy of this order be communicated to all concerned for compliance.

JUDGE

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