

## IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

*Constitutional Petition No. D-481 of 2026.*  
*[Muhammad Haroon Shaikh vs. Federation of Pakistan and others]*

***Before:-***  
***Mr. Justice Amjad Ali Bohio,***  
***Mr. Justice Ali Haider 'Ada'.***

### **Fresh case**

1. For orders on office objections.
2. For orders on CMA No.1973/2026 (Ex/A).
3. For hearing of main case.

**16.04.2026.**

Petitioner Muhammad Haroon Shaikh present in person.

### **ORDER**

**Ali Haider 'Ada' J.-** The petitioner submits that he was initially appointed in Pakistan Railways as a Junior Assistant (Train) and subsequently retired on 31.12.2012 from the Divisional Office, Sukkur, in the capacity of Guard, which post has been declared as part of the operational cadre. It is further contended that, owing to a dispute regarding upgradation, Writ Petition No. 7088 of 2012 and Writ Petition No. 14255 of 2011 were filed and subsequently allowed by this Court, with a direction to the respondents to consider the case of Guards for upgradation. In compliance thereof, certain posts were upgraded and some employees were extended the benefit; however, the petitioner was allegedly deprived of the same.

2. Thereafter, the petitioner approached the Lahore High Court by filing Writ Petition No. 1146 of 2016, which was connected with Writ Petition No. 38525 of 2015. Both petitions were allowed. The said judgment was assailed by Pakistan Railways through Intra Court Appeal No. 1322 of 2016, which was dismissed by the Lahore High Court. Subsequently, the matter was taken before the Honourable Supreme Court; however, despite the finality attained

by the judgment of the Lahore High Court, the same has not been implemented.

3. The petitioner, further submits that instead of complying with the judgment of the Lahore High Court, the Divisional Superintendent, Pakistan Railways, Sukkur, issued a notice to him, which, according to the petitioner, is contrary to the settled position as determined by the competent court.

4. Heard. Record perused.

5. Upon perusal of the record, it transpires that Writ Petition No. 38525 of 2015 was allowed by the Lahore High Court, and the petitioner's Writ Petition No. 1146 of 2016 was connected therewith and decided accordingly. In case of non-compliance of the said judgment, the proper and efficacious remedy available to the petitioner is to initiate appropriate proceedings before the same court which granted the relief. Entertaining the present petition would amount to assuming jurisdiction not vested in this Court, thus constituting a jurisdictional defect.

6. Consequently, for the purpose of implementation / enforcement of the judgment referred to in the impugned notice, the petitioner is at liberty to seek appropriate remedy before the competent court of jurisdiction, i.e., the Lahore High Court.

In view of the above, the instant petition is dismissed accordingly.

*JUDGE*

*JUDGE*