

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Constitutional Petition No.D-1648 of 2023.

[Waheed Ahmed and others vs. Province of Sindh and others.]

Date

Order with the signature of the Judges

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

28.04.2026.

Mr. Saifullah Soomro, Advocate for Petitioners.
Mr. Khuda Bux Chohan, Advocate for SMC, along with
Pir Wahid Bux, Municipal Commissioner, Sukkur.
Mr. Agha Athar Hussain, Assistant Advocate General.

The case of the petitioners is that the Finance Department, Government of Sindh, vide notification dated 04.08.2016, upgraded various posts, including Assistant Superintendent, Assistant/Head Clerk, Senior Clerk, and Junior Clerk, from their existing Basic Pay Scales to revised scales. The petitioners, being Junior Clerks in BPS-07, claim that their posts were upgraded to BPS-11 pursuant to the said notification. However, despite issuance of the notification, its implementation in their favour was withheld and kept in abeyance by respondent No.5, namely the Municipal Commissioner, Sukkur Municipal Corporation.

Pursuant to directions of this Court, a report was submitted by the Municipal Commissioner, wherein it has been admitted that the post of Junior Clerk was upgraded from BPS-07 to BPS-11 in terms of the notification dated 04.08.2016. It was, however, clarified that petitioner No.6 does not fall within the category of Junior Clerk, as he was serving under the Panchayat Committee, and therefore, his post was not subject to such upgradation. Consequently, the case of petitioner No.6 stands on a different footing.

In view thereof, learned counsel for the petitioners, under instructions, does not press the instant petition to the extent of petitioner No.6. It is also noted that the petition had already been dismissed as not pressed in respect of petitioner Nos. 15 and 16 vide order dated 29.07.2025.

The Municipal Commissioner, Sukkur Municipal Corporation, who is present in Court, has fairly stated that the case of the remaining petitioners (i.e., petitioner Nos. 1 to 5 and 7 to 14), being Junior Clerks, shall be dealt with strictly in accordance with the notification dated 04.08.2016 issued by the Finance Department, Government of Sindh, and that the benefit of the revised pay scale shall be extended to them from the date specified in the said notification.

Learned counsel for the petitioners submits that, in view of the above stance, the present petition may be disposed of with appropriate directions.

Accordingly, this petition is disposed of with the direction that the respondents shall implement the notification dated 04.08.2016 in its true letter and spirit, and extend the benefit of upgradation of posts from BPS-07 to BPS-11 to petitioner Nos. 1 to 5 and 7 to 14, with effect from 04.08.2016, subject to their eligibility. Order accordingly.

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