

# THE HIGH COURT OF SINDH, KARACHI

**Before:**

**Justice Mohammad Karim Khan Agha**

**Justice Adnan-ul-Karim Memon**

**CP No D-3028 of 2020**

(Jawed Iqbal & others v. Federation of Pakistan & others & others)

Petitioners : through Ch. Muhammad Azhar Elahi  
advocate.  
Respondent No. 2 & 3 Mr. Sanaullah Noor Ghouri advocate  
Respondents No. 1 Ms. Zehra Sehar Assitant Attorney General  
Dates of hearing : 12-05-2025  
Date of order : 12-05-2025

## **ORDER**

**Adnan-ul-Karim Memon, J.,** The Petitioners ask this court to declare unlawful Respondent No. 2's failure to implement prior court orders, the Cabinet Sub-Committee's undertaking, and Respondent No. 1's regularization decision. They request that this Court direct Respondents No. 1 and 2 to immediately implement these and regularize their employment with full benefits from their initial appointment dates.

2. Contract employees in the Education Department of Pakistan Steel (Respondent No. 2, a Federal Government entity) seek regularization. They submitted that their repeated contract extensions and the creation of Respondent No. 3 were intended to avoid granting them legal entitlements. Their claim rests on a 2008 Federal Government memo, and this Court judgment rendered in the Hafza Junejo case in 2012, (affirmed by the Supreme Court) declaring them employees of Respondent No. 2 and ordering regularization, Cabinet decisions from 2011 and 2013 favoring regularization, and subsequent similar High Court/Supreme Court rulings. Fearing reprisal, they did not apply individually, relying on this precedent, especially given regular employees in similar roles at the Cadet College. They submitted that the Respondents' failure to regularize them is bad faith, discriminatory, a dereliction of duty, and leaves them without other legal recourse.

3. The learned counsel representing the Petitioners submitted that the petitioners, who are teaching and non-teaching staff, were appointed in the educational institutions of Respondent No. 2, Pakistan Steel Mills, and request this Court to order the regularization of their services, consistent with the pronouncements of the Supreme Court and this Court. To bolster this plea, he cited the precedent case of *Khair Nawaz Khan v Federation of Pakistan & others* (SBLR 2025 Sindh 825). He prayed to allow the petition.

4. The learned counsel for the Respondents argued that the writ petition lacks merit, is barred by undue delay (laches), and is not maintainable because Pakistan Steel Mills operated under Non-Statutory Regulations, as established in the reported judgment **2010 SCMR 1484**. The learned counsel argued that Pakistan Steel Mills' severe financial losses (over Rs. 100 billion, with over Rs. 110 billion in liabilities) make it inappropriate to order the regularization of service of the petitioners based on the reasons discussed in prior proceedings.

5. We have heard the learned counsel for the parties and perused the record with their assistance and case law cited at the bar.

6. The petitioners were initially appointed by Pakistan Steel Mills and presently performing their duties as teaching and nonteaching staff in the Education Department of Pakistan Steel in terms of letters of contracts issued by Hadeed Welfare Trust for the last many years and are seeking regularization of their contractual services on the strength of order dated 21.03.2017 passed by the Supreme Court of Pakistan in Civil Petition Nos.121-K and 122-K of 2017.

7. The petitioners' case appears similar to cases C.Ps No D-5176/2013 and D-151/2014, decided by this Court on 15.12.2016. The Supreme Court of Pakistan upheld this decision on 21.3.2017 in Civil Petitions Nos.. 121-K & 122-K of 2017. The Supreme Court clarified that the prior decision was not limited to any specific grade and applied to all employees, including the present respondents, who were therefore correctly granted relief. Finding no fault in the prior judgment, the Supreme Court dismissed the petitions against it.

8. We also note the Supreme Court's order dated 03.06.2019 in C.P Nos 575-K to 578-K and 590-K to 594-K /2018, where Pakistan Steel withdrew its petitions because teaching staff had already been regularized, leading to the dismissal of the petitions.

9. Therefore, this petition is concluded following the Supreme Court of Pakistan's orders dated March 21, 2017, and June 3, 2019, in the previously mentioned cases. There will be no order regarding costs.

JUDGE

HEAD OF CONST. BENCHES

SHAFI