

ORDER SHEET

IN THE HIGH COURT OF SINDH, AT KARACHI

C.P No.D-5823 of 2015.

DATE	ORDER WITH SIGNATURE OF JUDGE
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Present:

Mr. Justice Muhammad Ali Mazhar
Mr. Justice Abdul Ghani Soomro

Afzal Hussain.....Petitioner.

V/s.

Federation of Pakistan & others.....Respondents.

23.08.2016

Mr. Ghulam Sarwar Chandio, Advocate for the petitioner.

Mr. Ameeruddin, Advocate for EOBI.

Mr. Liaquat Hussain, Standing Counsel.

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MUHAMMAD ALI MAZHAR J.- Case of the petitioner is that he was appointed in Federal Services Tribunal Islamabad on 19.04.2003, however, the services of the petitioner were requisitioned by the Employees Old-Age Benefits Institution (EOBI) for the post of Executive Officer on deputation basis for a period of three years. After completion of deputation, the Federal Services Tribunal vide Letter dated 11.10.2008 relieved the petitioner from his duties in the Federal Service Tribunal with immediate effect and also issued No Objection Certificate. Subsequently, the respondent No.3 permanently absorbed the petitioner in EOBI alongwith other deputationists with the condition that their absorption would be subject to receipt of No objection Certificate, vide Office Order No.77/2014, dated 17.03.2014. In pursuance of Judgment of the Hon'ble Supreme Court, the number of employees, who were irregularly appointed/absorbed were terminated and the name of the petitioner is mentioned at Serial No.202 of the same list. The learned

counsel submits that review application was filed by the petitioner in the Apex Court but vide Order dated 07.07.2014, the petitioner had withdrawn the petition with the intention to approach the Departmental Authority for their reinstatement in accordance with law. The learned counsel submits that after withdrawal of the petition from the Apex Court, Representation was made to the Chairman EOBI by the petitioner, which is still pending.

The Learned Counsel for EOBI confirms that review/representation has been filed by the petitioner to the Chairman EOBI, which is pending, however, he submits that this petition may be disposed of with the directions to the competent authority to decide the said application with a reasonable period of time.

Counsel for the petitioner is also satisfied on this proposition. Petition is disposed of with the direction to the Chairman EOBI to decide the Review/Representation of the petitioner, available at page 63 of the court file, within a period of two months. The Chairman shall also provide ample opportunity of hearing to the petitioner.

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