

**ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI**

**C.P No.D-3059 of 2016**

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<b>Date</b>	<b>Order with signature of Judge</b>	
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**Present**

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

S.M Iqbal ..... Petitioner

V E R S U S

Federation of Pakistan & others ..... Respondents

**Date of hearing: 24.08.2016**

Syed Ehsan Raza, Advocate for the petitioner.  
Shaikh Liaqat Hussain, Standing Counsel.  
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**Muhammad Ali Mazhar, J:** Despite notice nobody is present for Pakistan Railways except learned Standing Counsel.

The case of the petitioner is that vide Order dated 07<sup>th</sup> August, 2015 in exercise of powers conferred under Section 5(1)(iv) of Government Servants (E&D) Rules, 1973 major penalty for compulsory retirement from service was imposed upon the petitioner with immediate effect. He was also given right of Representation to the Appellate Authority i.e Member Finance under Civil Servants (Appeal) Rules 1977 within a period of 30 days from the date of communication of the order. Learned counsel pointed out page No.121 which is a copy of Appeal of appellant filed to the Member Finance. Learned counsel submits

that the Appeal is pending for last nine months but no orders have been passed. Though after expiry of 90 days, the petitioner could have availed appropriate remedy in accordance with law for challenging his compulsory retirement but at this stage learned Standing Counsel submits that directions may be issued to the respondents to decide the pending appeal of the petitioner within a reasonable period of time. The petition is disposed of accordingly. The Respondent No.2 (Appellate Authority) is directed to decide the Appeal of the petitioner within one month.

JUDGE

JUDGE

Ayaz Gul