

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P.No.D-5201/2016

Date

Order with signature of Judge

Present

Mr. Justice Muhammad Ali Mazhar
Mr. Justice Arshad Hussain

Muhammad Khan Sial.....Petitioner

V E R S U S

The Federal Secretary for Aviation Division,
Govt. of Pakistan & others.....Respondents

Date of hearing: 28.09.2016

Petitioner Muhammad Khan Sial present in person.

Muhammad Ali Mazhar, J: The petitioner has prayed for the direction against the respondents Nos.2 and 3 to pay sum of Rs.200,00,000/- to the petitioner for the losses he sustained during the service and against his forcible retirement from service which deprived him right of promotion and foreign posting for remaining period. It is well settled proposition of law that PIAC has no statutory rules of service, therefore, this petition is not maintainable. Even otherwise a simple look to the prayer clause of the petition shows that the petitioner has in fact claimed the damages which is otherwise not possible to grant in the constitutional jurisdiction and without recording the evidence whether the petitioner has sustained any general or special damages, the matter cannot be decided for which ultimate jurisdiction vests in civil court. The petition is dismissed in limine. However, the petitioner is at liberty to file civil suit for appropriate relief in accordance with law.

Judge

Judge

Asif