

## ORDER SHEET

### IN THE HIGH COURT OF SINDH, KARACHI C.P Nos. D-580, 1415, 3641, 3880 & 5391 of 2013

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Date	Order with signature of Judge
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#### **Present**

**Mr. Justice Muhammad Ali Mazhar.**

**Mr. Justice Adnan-ul-Karim Memon.**

15.12.2016

Ch. Muhammad Ashraf, Advocate for the Petitioners in C.P Nos. D-580, 1415, 3641 & 3880 of 2013.

Ch. Azhar Elahi, Advocate for the Petitioners in C.P No.D-5391 of 2013.

Mr. Muhammad Ahsan Ghani, Advocate for the Respondent No.2 in C.P No.D-580 of 2013.

Mr. Javed Asghar Awan, Advocate for the Respondent No.2 in C.P Nos. D-3641& 3880 of 2013.

Mr. Muhammad Rizwan Saeed, Advocate for the Respondent No.2 in C.P Nos.D-1415 & 5391 of 2013.

Sh. Liaqat Hussain, Standing Counsel.

Nazakat Hussain, Legal Assistant, H.R. Department, KPT.

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**Muhammad Ali Mazhar, J:** All petitioners are performing their duties in the Respondent No.2 establishment and they have approached this court for regularization of their service in view of the directives issued by the Prime Minister in the year, 2008 and 2012 for regularizing the contract employees.

2. Today duly signed statement by Arbab Anas, Manager H.R., K.P.T. of the Respondent No.2 has been filed separately in each petitions through Nazakat Hussain, Legal Assistant, H.R., K.P.T. It is clearly mentioned in the statement that the

petitioners were appointed in K.P.T. during the period commencing from 25.01.2011 to 07.02.2013 on two years contract basis in terms of Assistance Package for the families of Government employees died during service. Though in these statements, a plea has been taken that the Prime Minister's directives are not applicable in this case but K.P.T. had written a letter to Ministry of Port & Shipping, Government of Pakistan for further action in respect of service of contractual employees who were appointed in terms of Assistance Package and have completed two years contract. In response, the Ministry of Port & Shipping, Government of Pakistan has advised them to take further action as per K.P.T. Rules & Regulations. The Manager, H.R. in his statement further stated that the matter of the petitioners is under consideration and as and when the matter is finalized, the action will be taken as per Rules, Regulations and instructions issued by the Federal Government.

3. Since some positive response has been given through this statement to act further in the cases of the petitioners for their regularization process, therefore, learned counsel for the petitioners are satisfied. Ch. Muhammad Ashraf advocate has made further request that though it is in the domain of the K.P.T. to examine the eligibility and fitness of the petitioners for regularization but in case any petitioner is found unfit then at least he may be communicated the reasons for non regularization of his service. This request seems to be quite rational and the learned counsel for the K.P.T. have also agreed this proposal.

4. In view of above, the petitions are disposed of along with pending applications with the directions to the Respondents to complete the process within three (03) months in fair and transparent manner. In case any petitioner is not found fit or eligible for the regularization of his service, he may be communicated in writing the reasons so that he may adopt further course of action in accordance with law. It is clarified that the petitioners who are already performing their duties, their contract may not be terminated till finalization of the process.

JUDGE

JUDGE

Aadil Arab