

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI.**  
**C.P No.D-372 of 2016**

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DATE: ORDER WITH SIGNATURE(S) OF JUDGE(S).

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**Present**

**Mr. Justice Muhammad Ali Mazhar**  
**Mr. Justice Adnan-ul-Karim Memon**

Kifayatullah ..... Petitioner

V E R S U S

Manager Airport Security Force  
Ministry of Defence and others ..... Respondents

**Date of hearing 22.12.2016**

Mr. Shah Muhammad Metlo, Advocate for the petitioner  
Shaikh Liaqat Hussain, Standing Counsel.

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**Muhammad Ali Mazhar, J:** The petitioner has challenged his compulsory retirement order dated 22-08-2013 which is available at page-23. Learned counsel for the petitioner argued that after receiving the memorandum of compulsory retirement, petitioner preferred an appeal to the Respondent No.3 which is still pending without any progress. The Deputy Director Legal Headquarter Airport Security Force has filed the reply to the petition. In paragraph-13 of the memo of petition, the petitioner has stated that no other alternate and adequate remedy is available, therefore, he has approached this Court by filing this Constitution Petition. In response to this para, the respondents in their comments stated that under the provision of Section 7F of ASF Act, 1975, departmental remedy on appeal is available to the petitioner. It is further stated that the petitioner has filed an appeal to Secretary Aviation which could not be decided due to filing of instant petition.

Since it is an admitted position that the appeal of the petitioner is pending, therefore, the learned Standing Counsel is also of the view that some directions may be issued to expedite the proceedings.

In view of the above, this petition is disposed of with the directions to the respondents to decide the pending appeal of the petitioner within 45 days after providing him ample opportunity of hearing.

Copy of this order may be transmitted to the learned Standing Counsel.

**JUDGE**

**JUDGE**

Ayaz Gul