

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C. P. N. D-608 of 2017

Date	Order with signature of Judge
	<ol style="list-style-type: none">1. For orders on Misc. No.3261/2017.2. For orders on Office Objections No.1 t 4.3. For orders on Misc. No.3262/2017.4. For hearing of main case.

Petitioner Muhammad Aijaz Akhtar is present in person.

ADNAN-UL-KARIM MEMON, J:- The Petitioner has sought following relief:-

- A. To direct the M/s. UBL Bank Limited, to reinstate the Petitioner after conducting the fair enquiry.
- B. To direct the M/s. UBL Bank Limited, for the punishment of the real culprits namely Operation Manager Muhammad Ali and Branch Manager Hassan Moosa and present Branch Manager Muhammad Younus.
- C. To direct Respondents abovenamed for giving Gratuity and compensation which is given at the time of the retirement if they do not want to.
- D. Cost of this petition.

The grievance of the Petitioner is that he is an ex-employee of United Bank Limited. His services were terminated on 07.05.2005, on the accusation of misappropriation of cash by pocketing Rs.89,365/- from the collection of various utility bills etc., while as teller at Bhorapir Branch, Karachi. Petitioner was given charge sheet and domestic enquiry was also conducted and he was found guilty.

The Petitioner, present in person, states that he was not at fault and some conspiracy was being hatched against him at that time and his services were terminated without his fault. He has further submitted that the punishment awarded to him was very harsh, which was based on the

false accusation of misappropriation of an amount of Rs.89,350/-. He prays for his reinstatement in service of M/s. United Bank Limited.

Upon query by this Court as to how the instant Petition is maintainable against the private Bank, the Petitioner reiterated his arguments and argued that this is a hardship case and this Court can hear and decide the matter on merits.

We have gone through the case file and heard the Petitioner in person.

Admittedly, the Petitioner was an ex-employee of M/s. United Bank Limited and was terminated on 07.05.2005, on certain allegations. It is an admitted fact that M/s. United Bank Limited is a private Bank having no statutory Rules of Service, therefore, the forum chosen by the Petitioner by invoking the Constitutional Jurisdiction of this Court under Article 199 of the Constitution is not proper under the law.

On the above proposition of law, the principle has already been settled in the case of Muhammad Ashraf and others vs. United Bank Limited and others (2015 SCMR 911).

We are cognizant of the fact that this Court cannot entertain the grievance of the Petitioner against a private Bank under Article 199 of the Constitution. Consequently, the instant Petition stands dismissed in limine alongwith listed applications. However, the Petitioner may avail appropriate remedy as provided to him under the law.

JUDGE

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