

Order Sheet
IN THE HIGH COURT OF SINDH KARACHI
CP No.D-3187 of 2015
(Syed Tasweer Hussain Shah and another v. Federation of Pakistan and others)

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| Date | Order with signature(s) of Judge(s) |
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Before:
Justice Mohammad Karim Khan Agha
Justice Adnan-ul-Karim Memon

For orders as to maintainability of petition

17.04.2025

Mr. Talha Abbasi, advocate for the petitioners
Mr. Jahangir Rahujo, advocate for the respondents No.2 & 3
Ms. Wajiha M. Mehdi, Assistant Attorney General
SM Zia-ur-Rehman, SSO/Admin Officer, PCSIR

ORDER

Mohammad Karim Khan Agha, J. The case of the petitioner No.2 Muhammad Nouman is that vide impugned order dated 22.11.2011 he was terminated by the respondent – PCSIR Scientific Information Centre alongwith petitioner No.1. Later on petitioner No.1 Syed Tasweer Hussain Shah was reinstated whereas the petitioner No.2 Muhammad Nouman remains terminated. He nevertheless made applications/representations to the PCSIR Scientific Information Centre for his reinstatement, which are available at Pages-51,53&55 of the Court's file, however, none of these applications/representations were responded to.

2. Learned counsel for the respondents No.2 and 3 submitted that this petition is not maintainable as rules of the PCSIR are non-statutory. We have gone through the record which reveals that the rules are statutory in nature and as such this petition is maintainable.

3. By consent of the parties, we hereby direct the PCSIR Scientific Information Centre to decide the applications/representations of petitioner No.2 Muhammad Nouman for his reinstatement in service by taking into account the reinstatement of petitioner No.1 Syed Tasweer Hussain Shah as the petitioner No.2 claims that his case is on the same footing as the case of petitioner No.1. The Chairman, PCSIR, Islamabad, is directed to decide the appeals/representations against termination (Pages - 51, 53 & 55) after hearing the petitioner No.2 and any other concerned parties and taking into account

the case of petitioner No.1 Syed Tasweer Hussain Shah who was reinstated and pass a speaking order in accordance with the law and relevant rules on the appeals/representations of the petitioner No.2 Muhammad Nouman which are enclosed with a copy of this order.

4. This speaking order shall be pronounced within 03 months of the date of receipt of this order by the Chairman, PCSIR, Islamabad, without any discrimination. Until such time, the office order dated 22.11.2011 which is impugned in this matter shall remain suspended.

5. A copy of this order shall be sent to the Chairman, PCSIR, Islamabad, for compliance through fax, electronic means and courier.

The petition stands disposed of in the above terms.

Head of Const. Benches

JUDGE