

ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Crl. Original No. 76/W/2019.

Masoud Bakht

Versus

Imran Khan, Prime Minister of Islamic Republic of Pakistan, Islamabad, etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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25.09.2019. Applicant in person.
Barrister M. Mumtaz Ali, AAG.

Through this Criminal Original petition, the applicant seeks initiation of contempt of Court proceedings against respondents for non-compliance of order dated 09.11.2018, passed in W.P No.4245/2018.

2. The above referred order dated 09.11.2018 is reproduced hereunder for ready reference:-

Petitioner states that he was removed from service on 05.05.2017 by way of compulsory retirement. He filed inter-departmental appeal to the Prime Minister of Pakistan on 06.06.2017 but the same has not yet been decided. Petitioner states that direction may be issued for early decision of said appeal.

2. In view of above circumstances, respondents are directed to decide the pending appeal of petitioner in accordance with law within period of 02 months.

3. Instant writ petition stands disposed of.

3. Learned AAG in attendance has been confronted regarding the compliance of said order, whereby he contends that applicant was civil servant,

who was compulsorily retired from service on 05.05.2017 and applicant challenged his compulsory retirement through departmental appeal which was not answered and then he filed writ petition which was disposed of vide order dated 09.11.2018 with direction to the concerned respondents for early decision of inter-departmental appeal within period of 02 months.

4. Applicant has been confronted regarding the result of said appeal, whereby he conceded that no formal order has been issued, however, respondent department has transmitted the copy of para-wise comments to him in compliance of the order of this Court.

5. Keeping in view the above background, there is no denial that petitioner was civil servant and as such his appropriate remedy under Civil Servant Act is available, therefore, instant criminal original is misconceived and the same is hereby dismissed. However, the applicant may approach the relevant forum for redressal of his grievances.

(MOHSIN AKHTAR KAYANI)
JUDGE

Zahid