

**ORDER SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD.**  
**JUDICIAL DEPARTMENT.**

ICA No.119-2017

Muhammad Irshad

Vs.

Dr. Fouzia Saeed

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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21.10.2020	Mr. M. Bashir Khan, Advocate for appellant. Ms. Shafaq Abid, Advocate for respondent.
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**AAMER FAROOQ J.** The facts, in brief, are that appellant was an employee of Lok Virsa and was appointed as Assistant on 20.10.2011 on contract basis; he was not regularized in service, however, he filed a writ petition (W.P. No.965-2013) seeking regularization which was disposed of vide judgment dated 21.09.2014 and a Committee was constituted to examine the matter and make recommendations. Subsequently, vide letter dated 30.11.2015, the appellant was intimated that his services are not required from the said date. Meanwhile, the appellant also filed W.P. No.3922-2015, which was clubbed with W.P. No.3582-2015 titled 'Attia Abid Saba etc. Vs. The Secretary, Establishment Division, GOP, Islamabad etc'. The writ petition filed by the appellant was also disposed of on 23.02.2016 in light of observations made in W.P. No.3582-2015.

Subsequently, the appellant filed a contempt petition (Crl. Org. No.14-2017) alleging violation of order passed by this Court in W.P. No.3922-2015 and seeking restoration in service. The said criminal original was dismissed vide order dated 08.03.2017.

2. Learned counsel for the appellant *inter alia* contended that respondents have committed contempt of court inasmuch as it was observed in W.P. No.3582-2015 as well as in earlier writ petition filed by the appellant that respondents are to restrain themselves from terminating service of appellant. It was submitted that even vide letter dated 14.12.2015 issued by Ministry of Information, Broadcasting and National Heritage, the same observation was made.

3. Learned counsel for the respondent *inter alia* contended that no contempt of court is made out inasmuch as the appellant was relieved from service on 30.11.2015 and no direction was made for his reinstatement.

4. Arguments advanced by learned counsel for the parties have been heard and the documents, placed on record, examined with their able assistance.

5. The background, leading to filing of instant appeal, has been mentioned hereinabove therefore need not be recapitulated.

6. This Court, while deciding W.P. No.3922-2015, on the basis of judgment

passed in W.P. No.3582-2015, did not direct the respondents to keep appellant in service or renew his contract. Admittedly, when the direction was made, the appellant was not in service of Lok Virsa, which was terminated on 30.11.2015. In view of referred position, the respondent has not committed any contempt of court.

7. The order impugned, in the instant appeal, does not suffer from any factual or legal infirmity.

8. For what has been stated above, instant appeal is without merit and is accordingly dismissed.

~~(GHULAM AZAM QAMBRANI)~~  
**JUDGE**

**(AAMER FAROOQ)**  
**JUDGE**

Zawar