

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

W.P. No.3204-2019

Muhammad Saleem

Vs.

OGDCL through Managing Director, 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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17.08.2020

Mr. Kashif Ali Malik, Advocate for petitioner.
Mr. Sultan Mazhar Sher, Advocate for respondents.

The petitioner is an employee of Oil & Gas Development Authority (OGDCL)/respondent No.1. He is a transferred employee, as previously he was an employee of Oil & Gas Development Corporation Limited and was transferred to respondent No.1 upon its conversion as Company. He filed representation before respondent No.1 seeking issuance of seniority list and decision on question of his promotion in accordance with Resolution of respondent No.1 dated 23.04.2015; without waiting for the decision on the representation, the petitioner preferred instant writ petition.

2. Learned counsel for the petitioner, *inter alia*, contended that petitioner is an employee and in light of law, he is entitled to be treated in accordance with rules and regulations which govern his services at the time of conversion. Learned counsel contended that after decision by the Hon'ble Supreme Court of Pakistan passed in Civil Petition Nos.147 & 152-2012 dated 25.06.2012, OGDCL passed a Resolution dated 23.04.2015, which needs to be implemented in letter and spirit.

3. Learned counsel for the respondents *inter alia* contended that instant petition is based on apprehension and is not maintainable. It was contended that representation filed by the petitioner is still pending. In this behalf, it was contended that referred petition contained two prayers, out of

which, one has been granted, as seniority list has been duly issued. It was contended that in essence, writ petition seeks direction to implement Resolution passed by respondent No.1, which under the law, is not tenable. When confronted; whether representation is still pending qua the second limb of prayer made in the same, learned counsel for respondents candidly replied in affirmative.

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

5. Since representation filed by the petitioner is still pending hence it is just and proper that the same be decided in accordance with law therefore no findings on merits of the petition or its maintainability are warranted at present.

6. In view of above, instant petition is disposed of with direction to respondent No.1 to decide the pending representation of the petitioner expeditiously preferably within a period of six weeks from the date of receipt of this order.

(AAMER FAROOQ)
JUDGE

Zawar