

ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Writ Petition No.1962/2020.

Dr. Kamil Shahzad

Versus

Federation of Pakistan, etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	29.07.2020.	Mr. Jawad Khurshid Warraich, Advocate for petitioner.

Through this writ petition, the petitioner has impugned the advertisement No.5/2020 dated 30.06.2020.

2. Learned counsel for the petitioner *inter-alia* contends that petitioner was appointed as Assistant Meteorologist (BPS-16) in the office of respondent No.5 in September 2007 and he has completed his PhD in the field of Meteorology from recognized university King Abdul Aziz University, Saudi Arabia, whereas respondent No.4 through respondent No.5/FPSC advertised for the recruitment of post of Deputy Director/Senior Meteorologist (BPS-18) with PhD qualification in addition to one year post qualification experience in BPS-17; that this experience restriction in BPS-17 was only imposed to deprive the petitioner from competing the advertised post by the department with malafide; that petitioner has not been given promotion in the last 13 years despite his qualification and as such he has been denied from his legitimate right of promotion through indirect manner; that if he has not

been allowed to participate in the recruitment process for BPS-18 his right to life in terms of Article 9 of the Constitution of Islamic Republic of Pakistan, 1973 stands violated.

3. Learned counsel for the petitioner has been confronted regarding maintainability of instant writ petition on the ground that fixation of eligibility criteria for any recruitment is the internal domain and question of policy of the respective department and as to whether this Court can interpret or change the recruitment criteria in the constitutional jurisdiction, whereby learned counsel contends that petitioner has also filed representation before the department but the same has not yet been decided.

4. Keeping in view the above proposition raised by the petitioner, it is better to convert instant writ petition into representation and transmit the same to the office of respondent No.4, who shall decide the same in accordance with law through a speaking order after giving due opportunity of hearing to the petitioner within period of sixty (60) days.

5. Instant writ petition stands ***disposed of*** in above terms.

(MOHSIN AKHTAR KAYANI)
JUDGE