

**ORDER SHEET.**

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

**Writ Petition No. 2575 of 2020**

**Jamshid Ahmed Mustafa Zabari, etc**

**VS**

**Masood Sadiq, etc**

<b>S. No. of order/ proceedings</b>	<b>Date of order/ proceedings</b>	<b>Order with signature of Judge and that of parties or counsel where necessary.</b>
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18.09.2020.	Mr. Zahoor ul Haq Chishti, Advocate for petitioner.
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Through instant petition the petitioner has invoked the constitutional jurisdiction of this Court under Article 199 of the Constitution of Islamic Republic of Pakistan seeking the following prayer:-

*"It is, therefore, respectfully prayed that respondents No. 3 & 4 may be directed to forward case of petitioner's age relaxation to respondent No. 2 who may decide the case on merits / compassionate grounds within stipulated period in the interest of justice."*

2. Learned counsel for the petitioner submitted that he has applied for Secondary School Teacher (Male) (BS-17), for F.G. School Directorate of Federal Government Educational Institutions, in pursuance of the vacancies announced by Federal Public Service Commission (FPSC) in its consolidated advertisement No. 09/2018. It has been contended that petitioner was called for written test by Respondent No. 3, which he successfully cleared, however, he was not called for interview for the reason that he is over age by 10 months and 14 days as on closing date i.e. 17.09.2018. As per the advertisement the maximum age limit requirement was 30 years with five years general relaxation in age limit. He submitted that he approached Respondent No. 2 through letter dated 17.08.2020, for age relaxation, whereby,

in response, vide letter dated 12.08.2020, he was advised to follow prescribed procedure issued by Cabinet Secretariat, Establishment Division, vide Office Order dated 04.06.1995. He further submitted that he has approached all the concerned quarters and his last representation to Chairman, FPSC, dated 18.08.2020, has not been answered.

3. Perusal of the documents appended with the petition shows that the petitioner has applied for the vacancy of Secondary School Teacher in pursuance of consolidated advertisement No. 09/2018, published by the FPSC. He was called for written test which he qualified, however, his candidature was rejected due to being overage on the cut-off date i.e. 17.09.2018, which was communicated to him vide letter dated 21.02.2020. Thereafter, he applied to Respondent No. 3, vide letter dated 16.03.2020, for age relaxation which request was declined, vide letter dated 30.06.2020, after providing personal attendance and hearing on 23.06.2020. The petitioner filed Review Petition before Chairman, FPSC, on 17.07.2020, which was dismissed on 28.08.2020. He in the meantime, vide letter dated 13.07.2020, also approached Special Advisor to Prime Minister for relaxation in upper age limit and in response thereof he was advised to follow procedure as per Office Memorandum dated 04.06.1995, issued by Establishment Division.

4. Record shows that the Respondent No. 2 has very clearly been apprised about the reason of rejection of his application that he has exceeded the age limit by 10 months and 14 days after allowing general age relaxation of 05 years. As per CNIC his date of birth is 04.11.1982, which admittedly on the cutoff date for submission of application i.e. 17.09.2018, as

per advertisement becomes 35 years 10 months and 14 days. Therefore, according to record his application for further relaxation in upper age limit appears to be considered by the respondents while disposing review petition by observing that even after allowing general age relaxation of 5 years, he is over age by 10 months and 14 days. As regards contention that direction be given to Respondent Nos. 3 & 4 to forward his case to Respondent No.2, I am of the considered view that firstly no application in terms of notification dated 04.06.1995, as per record, has been submitted to Respondent Nos. 3 & 4, as the only application which the petitioner alleged is pending is dated 18.08.2020. Secondly, this application is also addressed to Chairman FPSC who is not a party to the petition. The petitioner has availed all the concerned forums available to him, whereby, his contention for further age relaxation has been declined for valid and lawful reason.

5. In view of the above discussion, I find no merit in the present petition and same is dismissed in limine.

**(LUBNA SALEEM PERVEZ)**  
**JUDGE**