

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

W.P No. 207/2019

Irum Gul

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.
(01)	18.01.2019	Mr. Amir Shehzad Mir, Malik Khurram Shahzad, Advocates for the petitioner.

MOHSIN AKHTAR KAYANI J. Through this writ petition, the petitioner has assailed the Show Cause Notice dated 23.10.2017, issued by the Human Resource Unit, PIA to the petitioner on account of submission of forged B.Com Degree in the service record.

2. Learned counsel for the petitioner contends that petitioner has been appointed on Daily Wages in the Pakistan International Airlines and subsequently declared a permanent employee in the year 2008 and thereafter absorbed in the Department of respondent No.2. However, during the course of service, she was given impugned Show Cause Notice, which was properly replied vide reply dated 06.11.2017 with the explanation that B.Com Degree of the petitioner from Al-Khair University has duly been attested and verified and Show Cause Notice has been issued without any regular inquiry.

3. Learned counsel for the petitioner further contends that petitioner has also issued a legal notice to the Deputy Manager, HR, PIA Karachi dated 08.09.2018, in which it has been mentioned that she had already filed a case before NIRC titled as **"Irum Gul Vs. PIAC etc case No. 4-A(248)/2017"** and as such restraining order was in field; that a final personal hearing was re-scheduled through letter dated 02.08.2018, but no personal hearing was given to the petitioner.

4. Learned counsel for the petitioner has been confronted regarding maintainability of instant writ petition on the ground that the PIA/respondents No. 2, GM PAX Revenue, Karachi/respondent No.3, Manager Vigilance Lahore/respondent No.4, Deputy General Manager (HR), Karachi/respondent No. 5 and Deputy General Manager (HR), Rawalpindi/respondent No.6 are situated outside the territorial jurisdiction of this Court, in response to said query, learned counsel for the petitioner contends that the Federation of Pakistan is situated in Islamabad and as such the writ is maintainable.

5. Keeping in view the above background, learned counsel for the petitioner failed to satisfy this Court regarding maintainability of instant writ petition, which is the primary requirement for issuance of writ petition in terms of Article 199 (i)(a) of the Constitution of Islamic Republic of Pakistan, 1973 as such office of respondent No.3 to 5 and 6 are ~~is~~ situated in the territorial jurisdiction of Karachi, Lahore and Rawalpindi. Even otherwise, petitioner has already availed the alternate

remedy by way of filing of grievance petition before NIRC, therefore, instant writ petition is not maintainable. Resultantly, the same stands ***dismissed in limine*** for want of jurisdiction.

(MOHSIN AKHTAR KAYANI)
JUDGE

Ramzan