

Form No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.4198/2021

Muhammad Zubair

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.
	09-12-2021	Hafiz Arfat Ahmed Ch., Mr Tariq Zaman Ch., Advocate for petitioner. Syed Muhammad Tayyab, Dy. Attorney General. Mr Wajid Ali Khan, Dy. Secretary, Establishment Division. Mr Ramish Hassan Rana, Section Officer, Establishment Division. Mr M. Arfan, Section Officer, Establishment Division.

Athar Minallah, C.J.- The petitioner has asserted in the memorandum of petition that he was selected by the competent authority to be appointed against the post of Deputy Secretary General (Transport and Communication, Project and Economic Research and Statistics) at the Secretariat of Economic Cooperation Organization, Tehran, Iran. It has been further asserted that despite the appointment having attained finality, respondent no.4 was refusing to issue diplomatic passports in his favour and in favour of the members of his family.

2. In response to notices issued by this Court, the respondents have filed written comments. Perusal of the comments shows that the selection of the petitioner had not been finalized and that the competent authority has decided to review the entire process. The respondents have taken the stance that the petitioner was not eligible and, therefore, the matter is being considered by the competent authority. It is noted that the grievance of the petitioner is regarding appointment of a representative of the Government of Pakistan against the post of Deputy Secretary General at the Secretariat of Economic Cooperation Organization. The competent authority has decided to review the entire process keeping in view the national interests of the State. The nature of the process of selection essentially entails taking into consideration the national interests of the State as well as the foreign policy. There is no reason for the Court to doubt that the process would ultimately not be completed in conformity with the national interests and the foreign policy of the State. Since the selection process had not been completed, therefore, no right had accrued in favour of the petitioner for directing respondent no.4 to issue diplomatic passports in

favour of the petitioner and members of his family. Moreover, no case is made out to direct respondent no.2 to complete the process so that the petitioner could be facilitated to join the Secretariat of the Economic Cooperation Organization.

3. For the above reasons, the petition is without merit and, therefore, accordingly dismissed.

(CHIEF JUSTICE)

Luqman Khan.