

ORDER SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

I.C.A. No.229 of 2020
Ayesha Farooq
Versus
Federation of Pakistan through Secretary Commerce and others

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	14.09.2020	Mr. Irfan Farooq, Advocates for the appellant.

Through the instant intra Court appeal, the appellant, Ayesha Farooq, impugns the order dated 19.08.2020 passed by the learned Judge-in-Chambers, whereby writ petition No.1796/2019 filed by the appellant, was dismissed as not maintainable.

2. Through the said writ petition, the appellant had impugned letter dated 30.04.2019 issued by the National Insurance Company Limited (“N.I.C.L.”), whereby the appellant’s services were terminated. The appellant’s writ petition was dismissed primarily on the ground that the terms and conditions of the appellant’s service with N.I.C.L. were not governed by any statutory rules. Although learned counsel for the appellant was very fair in his submissions that the appellant’s terms and conditions of service with N.I.C.L. were not governed by any statutory rules, but since the appellant’s services were terminated in violation of the principle of natural justice, her petition under Article 199 of the Constitution was maintainable.

3. We have gone through the impugned judgment dated 19.08.2020 and cannot bring ourselves to disagree with the reasoning of the learned Judge-in-Chambers for dismissing the appellant’s writ petition on the ground of maintainability. Since the appellant’s terms and

conditions of service with N.I.C.L. were not governed by any statutory rules or regulations, we are of the view that her relationship with N.I.C.L. was that of master and servant. The appellant would be at liberty to challenge the termination of her services vide order dated 30.04.2019 before the competent forum.

4. In view of the above, the instant appeal is dismissed in *limine*.

(LUBNA SALEEM PERVEZ)
JUDGE

(MIANGUL HASSAN AURANGZEB)
JUDGE

Ahtesham*