

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

Writ Petition No. 3516/2014
Safdar Jan
Vs
Ministry of Finance, etc

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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20.02.2020 Mr. Muhammad Ramzan Khan, Advocate.

Through this writ petition, petitioner has prayed for a direction to respondents to review/ reconsider Notification dated 04.06.2013 whereby he was relieved from service on the expiry of contract period, grant of financial benefits and reimbursement of medical bills, admissible under the rules.

2. Precisely, facts relevant for the disposal of instant writ petition are that petitioner joined the service of respondent No.3-IDBP as Officer Grade-II on contract basis w.e.f. 04.12.1999. Subsequently on expiry of contract period, he was relieved from the duty vide impugned Notification.

3. Learned counsel contends that petitioner had more than fourteen years of service at his credit and could not have been relieved of in arbitrary manner; that he was not paid the due pension benefits as admissible under rules 7.7.3 and 7.7 of the approved accounting standards; and that petition in terms of Article 199 of the Constitution is maintainable for seeking direction to pay pensionary benefits.

4. Heard the learned counsel for the petitioner on the point of maintainability and examine the record with his able assistance.

5. Record reveals that petitioner was relieved of his duties on 09.04.2013 while the instant writ petition was filed on 10.07.2014 i.e. after the delay of more than a year. The entitlement of the petitioner to benefits and reimbursement of medical claim warrants recording of evidence, not permissible under the constitutional jurisdiction of this Court.

6. Moreover, petitioner intends to get restore his employment, obtained pursuant to a contract. It is settled principal that contract employee has no right to invoke constitutional jurisdiction, where his services were terminated on completion of period of contract. Reliance is placed on PLD 2011 SC 132 *{PTCL through Chairman. Vs. Iqbal Nasir and others}* wherein it is held that:-

"The contract employees have no right to invoke writ jurisdiction, particularly in the instant case where their services have been terminated on completion of period of contract."

7. In view of above, instant writ petition is not maintainable, same is hereby dismissed *in-limine*.

**(FIAZ AHMAD ANJUM JANDRAN)
JUDGE**

Imran