

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

**W.P No. 168/2018**

Muhammad Umair etc.

Versus

Federal Directorate of Education, Islamabad 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>
<b>(23)</b>	16.10.2019	Ms. Kashifa Niaz Awan, Advocate for the petitioners. Barrister Mumtaz Ali, AAG. Arshad Mirza, Secretary, Ministry of Federal Education & Professional Training. Syed Umer Javed, D.G, Maqsood Ul Hameed Malik, D.D (Legal), S.M Rehan Naqvi, A.D (Legal), Federal Directorate of Education, Islamabad.

**MOHSIN AKHTAR KAYANI J.** Through this writ  
petition, the petitioners have prayed that:-

- A. *Declare that the advertisement dated 31-12-2017 appeared in the Daily Newspapers to the extent it invites applications for the positions occupying by the petitioners for the last several years is illegal, unlawful, arbitrary, unwarranted and unconstitutional being violative of the public policy and Article 3, 4, 9 and 25 of the Constitution;*
- B. *Direct the respondent No.1 to immediately complete the process of regularization of the petitioners by issuing formal posting orders and giving all consequential benefits which include but not limited to seniority and monitory benefits w.e.f. the initial date of joining;*
- C. *Grant of other relief this Honorable Court deems fit and just in the circumstances of the case;*
- D. *Grant costs of the case."*

2. Learned Assistant Attorney General, Secretary,  
Ministry of Federal Education & Professional Training

as well as D.G, Federal Directorate of Education put appearance and took a categorical stance before this Court that cases of regularization of Daily Wages Staff (BS 01 to 15) under Federal Directorate of Education, Islamabad were placed before the Federal Cabinet for their consideration, whereby Federal Cabinet vide its decision dated 03.09.2019 has considered the summary titled Regularization of Daily Wage Staff (BS-01-15) under Federal Directorate of Education, Islamabad dated 12.07.2019 submitted by the Federal Education & Professional Training Division and constituted a Committee under the Chairmanship of Federal Minister for Law and Justice to make recommendations to the Cabinet after a holistic review of cases of regularization of daily wagers/contract employees of various Ministries/Divisions. The committee would include Prime Minister's Advisor on Finance & Revenue, Advisor on Austerity & Government Restructuring and Advisor on Establishment, whereafter instant matter would be decided in the light of decision of the said committee. It has further been contended by the Secretary, Ministry of Federal Education & Professional Training and Director General, Federal Directorate of Education that the ToRs of the committee have not yet been notified, however, it is expected that instant mater would be resolved within next two months.

3. Besides the above referred position, the Secretary, Ministry of Federal Education & Professional Training as well as Director General,

Federal Directorate of Education have taken a categorical stance regarding the recruitment on newly advertised posts and contend that the posts which have been advertised are independent and have no nexus with the present petitioners cases and in case the Federal Cabinet allowed the regularization of the present petitioners or this Court passes any judgment for regularization of the present petitioners, the same would be implemented in letter and spirit and the petitioners would be accommodated against the regular posts, which have nothing to do with recently advertised posts.

4. In view of above statement made by the officials of respondent Department before this Court, the grievance of petitioners has been redressed as the respondent Department is not going to appoint any person on the regular posts of the petitioners, therefore, instant writ petition stands **Disposed of.**

**(MOHSIN AKHTAR KAYANI)**  
**JUDGE**

RAMZAN