

**IN THE SUPREME APPELLATE COURT GILGIT-BALTISTAN,
GILGIT.**

Before:-

**Mr. Justice Dr. Rana Muhammad Shamim, Chief Judge.
Mr. Justice Javed Iqbal, Judge.**

Under Objection No. 72/2017.

Civil Aviation Authority through Director General Civil Aviation Authority Head Quarter CAA 19 Liaqat Bank Karachi & 02 others

Petitioners.

Versus

Irshad Ali & 09 others

Respondents.

PRESENT:-

1. Mr. Johar Ali Khan Advocate alongwith Mr. Ali Nazar Khan Advocate-on-Record for the petitioner.

DATE OF HEARING: - 07.09.2017.

ORDER.

It has been pointed out by the office that this petition was filed in time, however, certain objections were raised by the office which were removed belatedly after the delay of one (01) month and 19 days. The learned counsel for the petitioners submits that the respondents filed a Civil Suit No. 166/2010 in the learned Trial Court Gilgit for declaration and recovery of pensionary benefits etc contending therein that their late father was the work charge employee of Gilgit-Baltistan PWD. He also submits that the services of the late father of the respondents were later on transferred to Airport Development Authority Gilgit in the year 1986. Whereafter he retired in the year 1992. Per learned counsel, the span of the service of Mr. Shah Nawaz (late) was just for 06 years, therefore, he did not fulfill the requisite service for pensionary benefits. He further submits that late Shah Nawaz did not claim any such

benefits during his life, hence, his legal heirs have no right to claim the said benefits. He submits that the said Civil Suit so filed by the legal heirs of late Shah Nawaz was decreed as prayed for by the learned Trial Court vide judgment dated 06.12.2014 which was upheld up to the learned Chief Court/Revisional Court. Per learned counsel, the aforementioned facts have been placed before the learned Chief Court as well as the learned Courts below but the same have not been considered by them. He prays that the impugned judgment dated 16.03.2017 passed by the learned Chief Court and the judgments passed by the learned Courts below may graciously be set aside by accepting this petition for leave to appeal.

2. We have heard the learned counsel for the petitioners at length, perused the record of the case file and gone through the impugned judgment passed by the learned Chief Court as well as the concurrent findings of the learned Courts below. The learned counsel for the petitioners could not point out any infirmity & misappreciation of evidence on record in the impugned judgment. The petition is also hopelessly barred for one (01) month 19 days.

3. In view of the above, we are not inclined to grant leave to appeal. The leave is refused accordingly.

4. The leave is refused.

Chief Judge.

Judge.

Whether the case is Fit to be reported or Not?