

ORDER SHEET

***IN THE LAHORE HIGH COURT,
MULTAN BENCH, MULTAN
JUDICIAL DEPARTMENT***

W.P. No.11695/2024

Muhammad Tahir Bashir

Versus

Province of Punjab, etc.

S.No. of order/ proceeding	Date of order/ Proceeding	Order with signature of Judge, and that of parties of counsel, where necessary
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16.12.2025

Mr. Muhammad Shah Jahan Rizvi, Advocate for the petitioner in this petition and in other connected petitions.

M/s Muhammad Ali Siddiqui, Syed Muhammad Kaml Haider Naqvi, Fatima Safeer and Nouman Aftab, Advocates in connected W.P. No.15228/2025.

Muhammad Ashraf Sago, Advocate for petitioner in connected W.P. No.14414/2025.

M/s Ch. Muhammad Saeed and Farzan Hashmat Ch., Advocates for petitioner in connected W.P. No.13245/2024.

Mr. Bilal Amin, Advocate for petitioner in connected W.P. No.14345/2025.

Raja Naveed Azam, Advocate for petitioner in connected W.P. No.14984/2025.

M/s Rai Rafaqat Hussain Bhatti, Babar Ahsan Bhatti and Abdul Samad Ali, Advocates for petition in connected W.P. No.14700/2025.

Malik Masroor Haider Usman, Additional Advocate General along with Junaid Neem, AEO, Jawad Akbar, District Accounts Officer, Riaz Ahmad, Senior Law Officer LG&CD Department South Punjab, Abdul Razzaq Khan, Senior Auditor, District Accounts Office, Multan, Talha Sajid, AEO Rajanpur, Inspector Muhammad Atif, Khanewal and Amir Sohail, Municipal Officer (Finance) Municipal Committee, Kallar Kot.

Debates and controversies after the omission of Rule 17-A of the Punjab Civil Servants (Appointment & Conditions of Service) Rules,

1974 (Rule 17-A) reach this Court in one manifestation or the other.

2. Primary reason for avalanche of constitutional petitions, instituted in routine, touching issue of enforceability of Rule 17-A vis-à-vis past and closed appointments and matters, where question of determination of final and decisive step requires clear and conclusive decisions, is gross confusion prevalent amongst the ranks of the Executive / Administrative branch of the Government, which, despite passing of judgments variously, still manifest disagreements and hand down inconsistent orders. This had compounded the confusion.

3. Two categories of constitutional petitions are pending and are decided through this single decision – which categories are identified as category-A and category-B [details of petitions in category-A are provided in Annex-A of the schedule and category-B are listed in Annex-B of the schedule, which schedule is part of this judgment.

4. Category-A are cases where appointments under Rule 17-A were made before 18.10.2024. and category-B relates to cases where appointments letters were not issued, till 18.10.2024, but petitioners claimed that final and decisive steps were taken before 18.10.2024 and appointment letters were not issued in wake of confusion qua actual terminal date with respect to the applicability of order of omission of Rule 17-A.

5. It is believed that determination of terminal date [when omission of Rule 17-A would be

effective for all intent and purposes] would alleviate and address prevalent confusion. This determination was already carried out in terms of the decision dated 10.04.2025, in case of Province of Punjab, etc. v. Syed Muhammad Ali Raza Shah", passed while deciding ICA No.2407/2025 and connected matters. Relevant findings at paragraph 13 are reproduced hereunder:-

"13. The persons who have taken benefit of Rule 17-A of the Rules till its omission dated 24.07.2024, that process would deem to be a part and closed chapter. To further classify and clarify the situation, the persons who could not get the benefit of Rule 17-A of the Rules (omitted on 24.07.2024) and were in process and no final and decisive step could had been taken effect till the pronouncement of venerated judgment passed in the case of General Post Office, Islamabad and others (supra) i.e. 18.10.2024, the judgment ibid would be applicable with retrospective effect".

6. It is evident that learned Division Bench, while deciding the case(s) of those persons, who had not benefited from Rule 17-A, till its omission on 24.07.2024, which date was extended till 18.10.2024 by virtue of giving effect to the judgment in the case of General Post Office, Islamabad and others V. Muhammad Jalal Civil Petition No.3390/2021), clearly observed that such persons, whose cases were in process and no final and decisive step had been taken till the pronouncement of venerated judgment passed in the case of General Post Office, Islamabad and others (supra) i.e. 18.10.2024, would not claim benefit from Rule 17-A, since in their case judgment in the case of General Post Office, Islamabad and others would

apply retrospectively. Learned Division bench objectively had not drawn a clear divide between persons in whose favour appointment letters were issued before the terminal date and those who did not possess appointment letters and benchmark settled was that no final and decisive step had been taken effect till 18.10.2024.

7. I reject the interpretation proposed by learned law officer that only those persons were protected whose appointment letters were issued before 24.07.2024. In fact and law, and by virtue of decision of 10.04.2024, terminal date was declared as 18.10.2024. Question that whether any final and decisive step had been taken is a fact-question, determination whereof differs in each case.

8. In view of the above, persons appointed before 18.10.2024, in whose favour appointment letters were issued [category-A], their appointments were declared lawful and authorities concerned are directed to ensure payment of their salaries accordingly – some petitioners raised grievance regarding non-payment of salaries despite performing of duties pursuant to appointment orders issued before the terminal date [18.10.2024].

All petitions listed in Annexure-A are allowed in terms of findings / declarations in this paragraph and any adverse order passed contrary to this declaration is set-aside.

9. Now I take-up cases of category-B [listed at Annexure-B]. In certain petitions orders

variously passed by authorities were also assailed on the ground that despite taking of final and decisive steps, before 18.10.2024, appointments were declined by wrongfully applying terminal date as 24.07.2024. Without discussing individual facts / cases of each petitioner(s), it is appropriate to remand category-B matters to the respective authorities, which had passed orders respectively and hereby impugned, upon setting-aside said orders. Authorities concerned would determine that whether any final and decisive step had been taken till 18.10.2024 with respect to the claims of petitioners of Annex-B.

In view of aforesaid, petitions relating to category-B cases [Annex-B] are allowed in terms of findings / declarations in this paragraph.

10. Hence, petitions are decided accordingly, terms of findings / declarations recorded at paragraphs 8 and 9, (supra) respectively. Office is directed to send copy of this order to Chief Secretary, Government of Punjab for compliance accordingly.

**(ASIM HAFEEZ)
JUDGE**

Approved for reporting.

JUDGE

Imran/*

ANNEXURE-A.

Sr. No.	Case Number.	Title of Case.
1	W.P. No.11695/2024	Muhammad Tahir Bashir Vs. Province of Punjab, etc.
2	W.P. No.14345/2025	Ali Farooq Vs. District Accounts Officer, Multan, etc.
3	W.P. No.15228/2025	Mst. Sadia Rafique, etc. Vs. Bahaudin Zakariya University, etc.

(Asim Hafeez)
Judge

Imran/*

ANNEXURE-B.

Sr. No.	Case Number.	Title of Case.
1	W.P. No.13261/2024	Muhammad Saeed Vs. Superintendent Government Livestock Farm
2	W.P. No.13245/2024	Muhammad Umar Mustafa Vs. Government of Punjab, etc.
3	W.P. No.14414/2025	Ahmad Awais Vs. Deputy Commissioner Bhakkar, etc.
4	W.P. No.14984/2025	Muhammad Waqas Latif Vs. Government of Punjab, etc.
5	W.P. No.14700/2025	Shahzaib Ali Vs. Special Secretary Home Department, etc.
6	W.P. No.14687/2025	Muhammad Fayyaz Vs. Government of Punjab, etc.

(Asim Hafeez)
Judge

Imran/*