

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

Before:-

**Mr. Justice Dr. Rana Muhammad Shamim, Chief Judge.
Mr. Justice Shahbaz Khan, Judge.**

**C. Misc. No. 62/2015
in
CPLA. No. 43/2015.**

1. Abdul Rasheed son of Haji Akber r/o Boto Kote Chilas, Forest Division Forest Department at Chilas, District Diamer.

Petitioner.

Versus

1. Provincial Government of Gilgit-Baltistan through Chief Minister Gilgit-Baltistan, Gilgit.
2. Chief Secretary, Gilgit-Baltistan, Gilgit.
3. Secretary Forest, Gilgit-Baltistan, Gilgit.
4. Secretary Finance, Gilgit-Baltistan, Gilgit.
5. Conservator of Forest Gilgit-Baltistan, Gilgit.
6. Divisional Forest Officer Chilas District Diamer.

Respondents.

PETITION FOR LEAVE TO APPEAL AGAINST THE IMPUGNED JUDGMENT/ORDER DATED 03.03.2015 PASSED BY DIVISION BENCH GILGIT-BALTISTAN CHIEF COURT, WHEREBY THEY HAVE DISMISSED THE REVIEW PETITION NO. 290/2014 IN WRIT PETITION NO. 33/2010 FILED BY PETITIONER WITHOUT ANY COGENT REASONS AND AGAINST LAW AND FACTS.

PRESENT:-

1. Mr. Johar Ali Khan Advocate-on-Record for the petitioner.
2. The Advocate General on behalf of the respondents.

DATE OF HEARING: - 02.06.2016.

ORDER.

Dr. Rana Muhammad Shamim, CJ..... This petition has been arisen out of the impugned judgment/order dated 03.03.2015 passed by the learned Division Bench Gilgit-Baltistan Chief Court, whereby dismissed the Review Petition No. 290/2014 in Writ Petition No. 33/2010. Feeling aggrieved and dissatisfied with the

impugned judgment/order passed by the learned Chief Court Gilgit-Baltistan, the petitioner filed the instant petition for leave to appeal before this court.

The learned counsel for petitioner submits that due to an administrative order passed by the learned Registrar of Chief Court in which the case of petitioner was sent to the learned Service Tribunal Gilgit-Baltistan for disposal in accordance with law.

Since the matter pertains to contract services, and the case does not come within the purview of the learned Service Tribunal, which through an administrative order returned back eighty five (85) cases including the case of petitioner to the learned Chief Court with the request to dispose off the said case in accordance with law. On 03.03.2015 the matter was taken up by the learned Division Bench of Chief Court who was pleased to dismiss the case of petitioner being time barred. The learned counsel for the petitioner submits that the time consumed due to administrative orders passed by the learned Registrar of Chief Court as well as the learned Service Tribunal through Registrar and it cannot be counted against the petitioner. He further submits that the impugned order passed by the learned Chief Court was not tenable and liable to set aside.

The learned Advocate General frankly conceded that the learned Chief Court should have to hear the case and decide it on merits in accordance with law. He, however, lukewarmly supported the contentions raised by the learned counsel for the petitioner.

In view of the above discussions, we convert this petition into an appeal and the same is allowed. The case is remanded back to the learned Chief Court for its de-novo considerations by hearing afresh and decide the same in its own merit expeditiously within two months.

The petition is disposed off in above terms.

Chief Judge.

Judge.

Whether the case is fit to be reported or not?