

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**PRESENT:**

**MR. JUSTICE UMAR ATA BANDIAL**

**MR. JUSTICE FAISAL ARAB**

**MR. JUSTICE MUNIB AKHTAR**

**Civil Appeal Nos. 675 of 2019 to 988 of 2019**

(On appeal from the judgment/order dated 30.08.2018 of the Federal Service Tribunal, Islamabad passed in Appeals No. 336 to 386, 404 to 405, 1084 to 1198@CS/2018, 4428 to 4500@CS/2017, 23 to 67(P)CS/2018, 259 to 263@CS/2018, 1523 to 1545@CS/2018)

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|-------------------|---|
| in CA.675 of 2019 | Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Asif Ali          |
| in CA.676 of 2019 | Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Hifazat Ellahi    |
| in CA.677 of 2019 | Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Shafique |
| in CA.678 of 2019 | Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Khalid Zubair     |
| in CA.679 of 2019 | Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Ali Asghar        |
| in CA.680 of 2019 | Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Fayyaz Muhammad   |
| in CA.681 of 2019 | Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Abdul Qadeer      |
| in CA.682 of 2019 | Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Tariq    |
| in CA.683 of 2019 | Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Wasi ur Rehman    |

in CA.684 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Tariq
in CA.685 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Bashir Ahmed
in CA.686 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. M. Abid Qureshi
in CA.687 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Rehman
In CA.688 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Ali Khan
In CA.689 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Ziauddin
In CA.690 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Shakeel Ahmed
in CA.691 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Aziz Ahmed
in CA.692 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Ejaz Muhammad
in CA.693 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Tanseer
In CA.694 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Rasool Bux
in CA.695 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Siddiq
in CA.696 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Zubair
in CA.697 of 2019	Senior General Manager/CEO, Pakistan

	Railways Headquarters Lahore & another vs. Zulfiqar
In CA.698 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Nadir
in CA.699 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Sajjad
in CA.700 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Luqman
in CA.701 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Sami ul Haq
In CA.702 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Naveed Sarwar
in CA.703 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Aurang Zeb
in CA.704 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Rahat Hussain
in CA.705 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Matloob Hussain
In CA.706 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Syed Nizamuddin
in CA.707 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Manzoor Ali
in CA.708 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Aqeel Anwar
in CA.709 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Fayyaz Muhammad
In CA.710 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs.

Abid Ali

- in CA.711 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Shakeel Ahmed
- in CA.712 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Rahmatullah
- in CA.713 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Kamran
- In CA.714 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Abdul Hafeez
- In CA.715 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Qamar Ahmed
- In CA.716 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Ghulam Mustafa
- In CA.717 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Amir Ahmed
- In CA.718 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Jaaro Khan
- In CA.719 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Ashraf
- In CA.720 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Niaz Hussain
- In CA.721 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Mumtaz Ali
- In CA.722 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Usman Ali
- In CA.723 of 2019      Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Saleem

In CA.724 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Dargahi
In CA.725 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Aftab
In CA.726 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Naseem Muhammad
In CA.727 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Ali Nawaz
In CA.728 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Syed Muhammad Azhar ul Hassan
In CA.729 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Tariq Aziz
In CA.730 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Rashid Minhas
In CA.731 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Javed Iqbal
In CA.732 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Wazir Ahmed
In CA.733 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Iqbal
In CA.734 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Abdul Aziz
In CA.735 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Shams Pervaiz
In CA.736 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Saleem

In CA.737 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Abdul Hameed
In CA.738 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Abdul Fatah
In CA.739 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Azam
In CA.740 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Tahir Hussain
In CA.741 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Syed Irfan Khalid
In CA.742 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Shahid Ali
In CA.743 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Ishtiaq Ahmed
In CA.744 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Meraj ud Din Khan
In CA.745 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Fayyaz
In CA.746 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. ameer Bux
In CA.747 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Mubeen
In CA.748 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Safeer Ahmed
In CA.749 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Rehmat Khan
In CA.750 of 2019	Senior General Manager/CEO, Pakistan

	Railways Headquarters Lahore & another vs. Habib Muhammad
In CA.751 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Faheem ul Haq
In CA.752 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. zahid ur Rehman
In CA.753 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Shaikh Mahtab
In CA.754 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Raza Hussain
In CA.755 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Mustafa Khan
In CA.756 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Kafeel Ahmed
In CA.757 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Wali Muhammad
In CA.758 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Munir Ahmed Khan
In CA.759 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Ghulam Mustafa
In CA.760 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Khan
In CA.761 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Saleem ud Din
In CA.762 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. shafi Muhammad
In CA.763 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs.

## Mansoor Baig

- In CA.764 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Dawood Khan
- In CA.765 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Shams ul Islam
- In CA.766 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Yaseen
- In CA.767 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Jameel Ahmed
- In CA.768 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Akram
- In CA.769 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Abdul Hameed Channa
- In CA.770 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Qadeer Khan
- In CA.771 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Zafar Khan
- In CA.772 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Nadeem
- In CA.773 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Waseem Ahmed
- In CA.774 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Roshan Ali
- In CA.775 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Abdul Waleed
- In CA.776 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Nazeer Ahmed



In CA.777 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Imam Ali
In CA.778 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Ayub
In CA.779 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Ghulam Mustafa
In CA.780 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Saleem
In CA.781 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Kashif
In CA.782 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Nawaz
In CA.783 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Abdul Rashid
In CA.784 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Arshad Mehmood
In CA.785 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Arshad Mehmood
In CA.786 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Fazal Ahmed
In CA.787 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Arif Khan
In CA.788 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Rauf
In CA.789 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Syed Zaheer ud Din

In CA.790 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Sharif
In CA.791 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Maqsood Ahmed
In CA.792 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Abdul Latif
In CA.793 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Saeed
In CA.794 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Abdul Khalil
In CA.795 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Ghulam Farid
In CA.796 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Rafiq Ahmed
In CA.797 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Ashaque
In CA.798 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Shams ud Din
In CA.799 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Jameel Ahmed
In CA.800 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Pervaiz
In CA.801 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Zakir Khan
In CA.802 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Shafait Ali
In CA.803 of 2019	Senior General Manager/CEO, Pakistan

	Railways Headquarters Lahore & another vs. Muhammad Irfan Khan
In CA.804 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Zahid Khan
In CA.805 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Ashraf
In CA.806 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Saeed Khan
In CA.807 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Hameed
In CA.808 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Sabir Khan
In CA.809 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Mehmooda Bano
In CA.810 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Shahid Hussain
In CA.811 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Nadeem Ahmed
In CA.812 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Syed Kaleem ud Din
In CA.813 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Saeed Ahmed
In CA.814 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Zaheer Abbas
In CA.815 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Rehmat Ali
In CA.816 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs.

## Muhammad Sharif Khan

- In CA.817 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Aslam
- In CA.818 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Hayat Ullah
- In CA.819 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Sain Bux
- In CA.820 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Azhar Ali
- In CA.821 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Shamim Akhtar
- In CA.822 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Nasir Khan
- In CA.823 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Fozia Zafar
- In CA.824 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Asif
- In CA.825 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Waziran
- In CA.826 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Latifan
- In CA.827 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Shafi
- In CA.828 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Asif
- In CA.829 of 2019 Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Kanwal Mehtab

In CA.830 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Akhtar Hussain
In CA.831 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Aslam
In CA.832 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Dil Murad
In CA.833 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Naseem
In CA.834 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Mazhar Ali Shah
In CA.835 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Yaqoob
In CA.836 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Hanook Shahzad
In CA.837 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Intiaz Bibi
In CA.838 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Jahangir
In CA.839 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Salah ud Din
In CA.840 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Ali Anwar
In CA.841 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Abdul Hadi
In CA.842 of 2019	Senior General Manager/CEO, Pakistan Railways Headquarters Lahore & another vs. Muhammad Akram

In CA.843 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Allah Dino
In CA.844 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Maqbool Hussain
In CA.845 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Fida Hussain
In CA.846 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Tufail Ahmed
In CA.847 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Asif
In CA.848 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Siddique
In CA.849 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Ahsan
In CA.850 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Abdul Rasheed
In CA.851 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Iqbal
In CA.852 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Ali Akbar
In CA.853 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Noor Muhammad
In CA.854 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Noor Muhammad
In CA.855 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Nisar Ahmed
In CA.856 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Ghulam Sarwar
In CA.857 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Abdul Aziz
In CA.858 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Ghulam Rasool
In CA.859 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Badaruddin
In CA.860 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Zulfiqar Ali

In CA.861 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Syed Waseem Hussain
In CA.862 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Shoukat Hussain
In CA.863 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Mansoor Ahmed Khan
In CA.864 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Ramzan
In CA.865 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Abdul Rehman
In CA.866 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Shabber Ahmed
In CA.867 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Wazir Ali
In CA.868 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Ghulam Asghar
In CA.869 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Ghulam Sarwar
In CA.870 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Ali Gohar
In CA.871 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Tarique Khan
In CA.872 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Mumtaz Ali
In CA.873 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Zaheer
In CA.874 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Wahid Bakhsh
In CA.875 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Yaseen
In CA.876 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Allah Wadhayo
In CA.877 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Samad Ahmed Khan
In CA.878 of 2019	Chairman, Pakistan Railways, Islamabad and

	another vs. Lall Bux
In CA.879 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Abdul Nadeem
In CA.880 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Mir Muhammad
In CA.881 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Talib Hussain
In CA.882 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Mahiwal
In CA.883 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Tariq Javed
In CA.884 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Ejaz Hussain Shah
In CA.885 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Shoukat Ali
In CA.886 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Abdul Majeed
In CA.887 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Sarwar Ali Rajput
In CA.888 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Sikandar Ali
In CA.889 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Shoaib
In CA.890 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Abdul Fateh
In CA.891 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Bashir Ahmed
In CA.892 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Saifullah
In CA.893 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Aijaz Ali
In CA.894 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Siddique
In CA.895 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Shoukat Ali



In CA.896 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Waseem
In CA.897 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Yousaf
In CA.898 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Kishor Kumar
In CA.899 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Mehar Ali
In CA.900 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Zaffar Ahmed
In CA.901 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Ghulam Muhammad
In CA.902 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Ghulam Sarwar
In CA.903 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Tanveer Ahmed
In CA.904 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Rukhsar Ali Shah
In CA.905 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Haseen ur Rehman
In CA.906 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Javed Akmal
In CA.907 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Nasir Mehmood
In CA.908 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Soharab Khan
In CA.909 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muzakir Hussain
In CA.910 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Abdul Malik
In CA.911 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Mujeeb ur Rehman
In CA.912 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Anwar ud Din
In CA.913 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Riaz Ahmed

In CA.914 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Mohram Ali
In CA.915 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Ghulam Hussain
In CA.916 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Said Rasool
In CA.917 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Sajid Hussain
In CA.918 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Ghulam Shabbir
In CA.919 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Maqsood Anwar
In CA.920 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Gul Wali Khan
In CA.921 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Haroon
In CA.922 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Abdul Aleem
In CA.923 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Syed Azaz Ali
In CA.924 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Riaz
In CA.925 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Muhammad Ishaq
In CA.926 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Abdul Rasheed
In CA.927 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Nawab Ali
In CA.928 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Ghulam Rasheed
In CA.929 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Faqeer Nawaz
In CA.930 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Hamid Nawaz
In CA.931 of 2019	Chairman, Pakistan Railways, Islamabad and

	another vs. Altaf Hussain Shah
In CA.932 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Tariq Iqbal
In CA.933 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Arshad Ali
In CA.934 of 2019	Chairman, Pakistan Railways, Islamabad and another vs. Naseer ud Din
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In CA.971 of 2019	Divisional Superintendent Pakistan Railways, Multan and another vs. Muhammad Gulzar
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- In CA.984 of 2019      Divisional Superintendent Pakistan Railways,  
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Shah
- In CA.985 of 2019      Divisional Superintendent Pakistan Railways,  
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Khan
- In CA.986 of 2019      Divisional Superintendent Pakistan Railways,  
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- In CA.987 of 2019      Divisional Superintendent Pakistan Railways,  
Multan and another vs. Muhammad Amjad
- In CA.988 of 2019      Divisional Superintendent Pakistan Railways,  
Multan and another vs. Muhammad Nazar

For the appellant(s)      Hafiz S.A. Rehman, Sr. ASC  
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For the respondent(s)      Ms. Shireen Imran, ASC

Date of hearing      15.05.2019

### **JUDGMENT**

**UMAR ATA BANDIAL, J.—** A common question of law that arises for determination in these connected appeals is whether the respondents are entitled to the grant of annual increments for the period of two years training undergone by them at the Walton Training Academy, Lahore (**“Academy”**). The respondents were appointed by the appellants as Apprentice Loco Cleaners on different dates during the period 1988 till 2004 and sent for training on the T-4 course for a period of two years at the Academy. After qualifying the training course, the respondents were inducted into regular service and posted on posts at different stations in the Railways service. The claim for payment of annual

increments attributable to the two years period of T-4 training course was filed by the respondents on different dates in the year 2017. In their service appeals the respondents explained that their claims were being filed pursuant to a judgment of the learned Federal Service Tribunal (“FST”) dated 01.03.2016 titled **Sohail Iqbal and others versus Pakistan Railways** allowing the grant of annual increments to similarly placed employees of the appellants. This judgment was given by the learned FST in 16 connected appeals. It was assailed before this Court in **Chairman, Pakistan Railways, Islamabad and another versus Saleem Akhtar and others** (Civil Petition Nos. 1038 to 1054 of 2018) but these petitions were dismissed vide order dated 28.08.2018 on account of being time barred. Consequently, the judgment of the learned FST in **Sohail Iqbal’s** case dated 01.03.2016 attained finality and was duly implemented.

2. Based squarely on that judgment the learned FST has decided the appeals filed by the present respondents during the year 2017 and 2018. The material portion of the **Sohail Iqbal** judgment that is quoted in paragraph 3 of the impugned judgment is reproduced below:

“8. We have given careful consideration to the notice which was issued by Divisional Superintendent, Multan on 26.04.2014 on the basis of letter of G.M (Power), Pakistan Railways, Headquarters, Lahore dated 20.04.1987. It was mentioned therein that the period between completion of training and assumption of duty may be treated as on duty for grant of annual increment. On the other hand, the appellants were held disentitled for annual increments during the training period. The inconsistency and discrimination, in the policy of the respondent department, is floating on the surface of the record. Why the said financial benefits has been presumed to be admissible for a particular class of employees (BS-11 and above) and other employees who get training in the Academy have been divested of such right. This enigma could not be resolved from the written objections or the arguments of the learned

counsel for the respondents. All the railway employees are to be treated alike. The admissibility of annual increments during the training period is a policy. Matter and all such employees are to be treated, at par, so that there is no discrimination which is abhorable and disapproved by our Constitution. In view of the foregoing discussion, we dismiss the appeal to the extent of the relief of up-gradation and the appellants shall feel well advised to approach the competent forum for remedy whereas partly allow these appeals with the direction to the respondent-department to make admissible the annual increments for the appellants for the period they remained in Academy for training course T-4, as was done in the letter of G.M (Power) Pakistan Railways dated 24.04.1987. The needful be done within a period of 3 months.”

3. Following the above dicta, the learned FST has in paragraph 6 of the impugned judgment granted the following identical relief to the respondents:

“6. Therefore these appeals of identical nature are disposed of with the direction to the respondents “to make admissible the annual increments” to the appellants for the period they remained in Academy for training.”

4. A perusal of the judgment dated 01.03.2016 shows that it is based upon a letter dated 20.04.1987 issued by the General Manager (Personnel), Pakistan Railways and addressed to all Divisional Superintendents in the organization. From that letter, the learned FST has deduced that “the period between completion of training and assumption of duty may be treated as on duty for grant of annual increments.” This means that the service period falling after completion of training is to be treated as on duty period. However, rather paradoxically the relief that has been granted by the said judgment dated 01.03.2016 and followed by the impugned judgment is a direction to the appellant department to grant annual increments to the respondents “for the period they remained in Academy for training course T-4.” A cursory reference to the contents of the letter dated 20.4.1987 by the General Manager (Personnel), Pakistan Railways straightaway



shows that the relief granted by the judgment dated 01.3.2016 and the impugned judgment has gone far beyond the terms of the said letter which serves as the foundation of the relief granted. For the sake of certainly it is useful to reproduce the letter dated 20.04.1987.

“PAKISTAN RAILWAYS HEADQUARTERS OFFICE  
LAHORE

No.561-E/137-II (E.Policy)                      dated: 20.04.1987

All Divisional Superintendents,  
Including DS/W  
Pakistan Railways

W.M/Signal Shops, Lahore  
G.M. (P) RM, Lahore  
The A.G M/A & B Lahore

Sub: REGULARIZATION OF PERIOD BETWEEN  
COMPLETION OF TRAINING & ASSUMPTION  
OF DUTY.

References have been received from the Divisions regarding regularization of intervening period between completion of training & assumption of duty of Probationary Sub-engineers Gr.I on the Pakistan Railways.

The matter has been carefully examined in this office. It has been noted that Sub-Engineers Gr.I on the railways are recruited as probationary Sub Engineers against permanent vacancies in accordance with fixed quota reserved for them. Therefore all probationary Sub engineers recruited in accordance with prescribed rules and regulations and against permanent vacancies (except on ad-hoc/work charged) will have to be treated as railway servants from the day they join Services with full benefits in regard to continuity of services, grant of annual increments etc. All such cases may be dealt with in the manner indicated above.

This also disposed of D.S/Lahore's letter No.735-E/1/76 (P-I) dated 31.12.1981.

for General Manager,  
(Personnel)

5. It is apparent from the contents of the above letter that the period intervening between completion of training and assumption of duty by probationary Sub Engineers Grade-I is regularized as service with full benefits including annual increments.

6. Another letter dated 23.07.1987 also repeats the same administrative principle for grant of annual increments. However, it is straightway clear that the learned FST has misread the letter dated 20.04.1987 by wrongly considering that it allows annual increments for the training period for T-4 course whereas the letter is referring to the post training service period.

7. The learned counsel for the appellants tried to distinguish the case of probationary Sub Engineers Gr.I to whom the letter dated 20.04.1987 applies from the respondents in the present cases who are Apprentices or Stipendiary students. He has referred to the Pakistan Railways Personnel Manual clause 214 to explain the nature of employment of Apprentices:

“214. Appointment of Apprentice/Students.- On successful completion of the period of apprenticeship/Student in such capacity and on such pay as may be considered suitable for him, but no guarantee or promise of employment on completion of apprenticeship/studentship is given or implied by the Railway Administration.”

Paragraph (G) of clause 214 clarifies the ineligibility of Apprentices to increment in their stipends:

“(G) There will be no special rates of stipend for Apprentices/Stipendiary students. Apprentices and stipendiary students will be allowed the minimum of the National Scales of pay of the post to which they would be appointed on successful completion of their apprenticeship/stipendiary studentship. The period of apprenticeship/stipendiary studentship will not count for increment in the National Scales.”

8. Learned counsel has explained probationary Sub Engineers Gr.I are differently placed from Apprentices in respect of their service rights. However, for present purposes, we need not go into the distinction drawn for the simple reason that according to the letter dated 20.04.1987 even probationary Sub Engineers have

not been granted the benefit which has been extended to the respondents by the impugned judgment.

9. In order to understand why apprentices/stipendiary students do not enjoy the said increment is because during their stage of employment they fall under Clause 214 of the Personnel Manual, Pakistan Railways which states that no guarantee or promise of employment on completion of apprenticeship/studentship is given or implied to be given by the Railways Administration. Furthermore, clause (G) of the 561-E/129 (E. Policy) dated 25.7.1972 stipulated in the Personnel Manual's Clause 214 makes it clear that "the period of apprenticeship/stipendiary studentship will not count for increment in the National Scales." Therefore, during the training period for the T-4 course, the Apprentices/stipendiary students do not qualify as regular employees of the Pakistan Railways and are therefore not entitled to service benefits which include annual increments that are undoubtedly an incident of regular employment.

10. From the foregoing discussion, it is evident that the impugned judgment of the learned FST misread the record and therefore arrived at the wrong conclusion with respect to the grant of service rights of annual increments to the respondents. This happened due to an incorrect interpretation and appreciation of the administrative directions given in the letter dated 20.04.1987. In any event, it is clear from the Personnel Manual that during their period of apprenticeship the respondents were not eligible to be in regular employment of the Pakistan Railways under Clause

214 thereof which means that service benefits corresponding to such employment, namely, *inter alia*, annual increment was not available to them as clarified in sub clause (G) of Clause 214 of the Personnel Manual.

11. As a result, we find that the impugned judgment suffers from a serious error in interpreting the relevant service regulations and is therefore liable to be set aside. Accordingly, these appeals are allowed.

Judge

Judge

Judge

Islamabad  
15.05.2019  
Naseer

Not approved for reporting