

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

**PRESENT:**

Mr. Justice Asif Saeed Khan Khosa  
Mr. Justice Tariq Parvez  
Mr. Justice Dr. Muhammad Khalid Masud

**Civil Shariat Appeals No. 1 and 2 of 2014**

(Against the judgment dated 10.02.2014 passed by the Federal Shariat Court, Islamabad in Service Appeals No. 1 and 2 of 2013)

***Amjad Ali*** *(in both cases)* *...Appellant*  
***versus***  
***Federal Shariat Court through its Registrar***  
*(in both cases)* *...Respondents*

For the appellant: In person  
*(in both cases)*

For the State: Mr. Abdul Rasheed Awan, Deputy  
Attorney-General for Pakistan  
Qari Abdul Rashid, AOR  
*(in both cases)*

Date of hearing: 28.06.2016

**JUDGMENT**

**Asif Saeed Khan Khosa, J.:** The impugned judgment passed by the Federal Shariat Court had been passed in two service appeals filed by the present appellant and the said judgment has been assailed by the appellant before this Court by invoking Article 203-F(2B) of the Constitution of the Islamic Republic of Pakistan, 1973. We have gone through the provisions of Article 203-F of the Constitution as a whole and have found that in the said Article different remedies have been provided which

include an appeal before this Court against a judgment or order passed by the Federal Shariat Court in its jurisdiction pertaining to Islamization of laws, an appeal before this Court in respect of a judgment, final order or sentence passed by the Federal Shariat Court in the matter of convictions, acquittals and sentences in cases of *Hudood* laws and it has been provided in Article 203-F(2B) that where an appeal does not lie to this Court as provided in the other clauses of Article 203-F there an appeal may lie to this Court after obtaining leave to appeal. According to our understanding of Article 203-F of the Constitution no appeal lies before this Court against a judgment or order passed by the Federal Shariat Court in service matters of its employees and likewise the matter of leave to appeal contemplated by the provisions of Article 203-F(2B) of the Constitution is also not relevant to the judgments or orders of the Federal Shariat Court passed in the service matters of its employees. The appellant appearing in person has drawn our attention towards Article 212 of the Constitution and we have noticed that the said Article provides for establishment of administrative courts or tribunals but clauses (a), (b) and (c) of Article 212(1) of the Constitution deal with specific subjects or areas regarding which an administrative court or tribunal may be established. We do not find an administrative court or tribunal established for administrative matters of the employees of the Federal Shariat Court to be falling within any of the said clauses of Article 212(1) of the Constitution and, thus, from a judgment or order passed in a service appeal by the Federal Shariat Court no appeal or petition for leave to appeal lies before this Court even by invoking clause (3) of Article 212 of the Constitution. Be that as it may clause (3) of Article 212 of the Constitution may even otherwise not be attracted because the case of the appellant essentially raises issues which are purely factual and personal to the appellant and the same do not involve any substantial question of law of public importance.

2. For what has been discussed above we have found these appeals filed before this Court to have been filed without jurisdiction and the same are, therefore, dismissed as not maintainable.

Chairman

Member

Member

Islamabad

28.06.2016

Approved for reporting.

Arif