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2025 SCMR 235

[Supreme Court of Pakistan]

Present: Amin-ud-Din Khan, Muhammad Ali Mazhar and Irfan Saadat Khan, JJ**TASSAWAR HUSSAIN ---Petitioner****Versus****The REGIONAL POLICE OFFICER, MULTAN and another ---Respondents**

Civil Petition No. 1181-L of 2016, decided on 24th September, 2024.

Appeal against the judgment dated 15.02.2016 passed by the Punjab Service Tribunal, Lahore in Appeal No. 899 of 2016).

Civil service---

---Departmental appeal, filing of---Limitation---Police official dismissed from service---


Departmental appeal filed by police official was rejected by the competent authority for being barred by time, and the said rejection order of the departmental appeal was maintained by the Service Tribunal vide impugned judgment---Validity---When the show cause notice was issued to

Supreme Court (Police official Court 25. Lahore High Court dismissed Peshawar High Court Quetta High Court

the petitioner was behind the bars (in connection with a murder case) and obviously, he was not in a position to diligently pursue and avail the remedy of departmental appeal in accordance with law---Bona fides of the petitioner could not be doubted when he was incarcerated; it was not an easy or comfortable task, rather it was beyond his control, to respond to the show cause notice, which was never served upon him, or to file a departmental appeal against the dismissal order, which was also never served upon him, within the stipulated time---However, when he was released from jail, he immediately filed the departmental appeal which was rejected---Petitioner then approached the Service Tribunal for redressal of his grievance but the appeal was dismissed

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 206 Honorable Justice Muhammad Ali Mazhar Muhammad Ali Mazhar
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 Mazhar

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2025 SCMR 249	Civil service The EXECUTIVE DIRECTOR (P&GS) STATE LIFE, PRINCIPAL OFFICE KARACHI VS MUHAMMAD NISAR, AREA MANAGER, ---Departmental appeal, filing of---Limitation---Police official dismissed from service--- STATE LIFE CORPORATION OF PAKISTAN, PESHAWAR ZONE, Departmental appeal filed by police official was rejected by the competent authority for being PESHAWAR barred by time, and the said rejection order of the departmental appeal was maintained by the Honorable Justice Muhammad Ali Mazhar Muhammad Ali Mazhar Service Tribunal vide impugned judgment---Validity---When the show cause notice was issued to Muhammad Ali Mazhar Muhammad Ali Mazhar Muhammad Ali the petitioner, (police official) on 25.11.2010 and the dismissal order was passed on 11.01.2011, the petitioner was behind the bars (in connection with a murder case) and obviously, he was not in a position to diligently pursue and avail the remedy of departmental appeal in accordance with law---Bona fides of the petitioner could not be doubted when he was incarcerated; it was not an easy or comfortable task, rather it was beyond his control, to respond to the show cause notice, which was never served upon him, or to file a departmental appeal against the dismissal order, which was also never served upon him, within the stipulated time---However, when he was released from jail, commercially filed the departmental appeal which was approached the Tribunal, Lahore for redressal of his grievance but the court was dismissed	SUPREME- COURT	Read
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2025 SCMR 303	MUSLIM COMMERCIAL BANK LIMITED VS PUNJAB LABOUR APPELLATE TRIBUNAL through Chairman, Lahore Honorab Justice Muhammad Ali Mazhar Muhammad Ali Mazhar Civil Petition No. 1181-I of 2016, decided on 24th September, 2024. (Appeal against the judgment dated 15.02.2016 passed by the Punjab Service Tribunal, Lahore in Appeal No. 899 of 2016).	SUPREME-COURT	Read
2025 SCMR 318	MAZHAR ALI VS State Honorab Justice Malik Shahzad Ahmad Khan Malik Shahzad Ahmad Khan Malik Shahzad Ahmad Khan Departmental appeal, filing of---Limitation---Police official dismissed from service--- Departmental appeal filed by police official was rejected by the competent authority for being barred by time, and the said rejection order of the departmental appeal was maintained by the Service Tribunal. The petitioner has now caused notice to be issued to the respondent.	SUPREME-COURT	Read
2025 SCMR 322	ALL PUNJAB UNIVERSITY BPS TEACHERS ASSOCIATION (APUBTA) VS THE FEDERATION OF PAKISTAN through Secretary Federal Education and Professional Training, Islamabad Honorab Justice Qazi Faez Isa Qazi Faez Isa Qazi Faez Isa Qazi Faez Isa The petitioner was behind the bars (in connection with a murder case) and obviously, he was not in a position to diligently pursue and avail the remedy of departmental appeal in accordance with law---Bona fides of the petitioner could not be doubted when he was incarcerated; it was not an easy or comfortable task, rather it was beyond his control, to respond to the show cause notice, which was served upon him, or to file a departmental appeal against the dismissal order, which was also never served upon him, within the stipulated time---However, when he was released from jail, he immediately filed the departmental appeal which was rejected---Petitioner then approached the Service Tribunal for redressal of his grievance but the appeal was dismissed	SUPREME-COURT	Read
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2025 SCMR 235

[Supreme Court of Pakistan]

New Statutes

Present: Amin-ud-Din Khan, Muhammad Ali Mazhar and Irfan Saadat Khan, JJ

> Federal
TASSAWAR HUSSAIN ---Petitioner

Versus

> Punjab
The REGIONAL POLICE OFFICER, MULTAN and another ---Respondents

Civil Petition No. 1181-L of 2016, decided on 24th September, 2024.

> KPK
(Appeal against the judgment dated 15.02.2016 passed by the Punjab Service Tribunal, Lahore

in Appeal No. 899 of 2016).

> Balochistan
Civil service---

----Departmental appeal, filing of---Limitation---Police official dismissed from service---

> Sindh
Departmental appeal filed by police official was rejected by the competent authority for being

barred by time, and the said rejection order of the departmental appeal was maintained by the

Service Tribunal vide impugned judgment---Validity---When the show cause notice was issued to

the petitioner (police official) on 25.11.2010 and the dismissal order was passed on 11.01.2011,

the petitioner was behind the bars (in connection with a murder case) and obviously, he was not

in a position to diligently pursue and avail the remedy of departmental appeal in accordance with

law---Bona fides of the petitioner could not be doubted when he was incarcerated; it was not an

easy or comfortable task, rather it was beyond his control, to respond to the show cause notice,

which was never served upon him, or to file a departmental appeal against the dismissal order,

which was also never served upon him, within the stipulated time---However, when he was

released from jail, he immediately filed the departmental appeal which was rejected---Petitioner

then approached the Service Tribunal for redressal of his grievance but the appeal was dismissed