Form No: HCJD/C-121

ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD.

JUDICIAL DEPARTMENT.

CMA. No.25 OF 2025

Muhammad Babar Mumtaz

VS

Federal Public Service Commission (FPSC) through its Chairman, Islamabad and others.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	30.04.2025	Mr. Khan Mulk Tarar, Advocate for the petitioner. Ms. Shaista Tabassum, AAG. Mr. Muhammad Arshad, Assistant Director FPSC, Islamabad.

MUHAMMAD ASIF, J-. This appeal, filed under section 7 (3)(d) of the Federal Public Service Commission ("**the Commission**") Ordinance, 1977, carries the following prayer clause:

> *"Under above circumstances, therefore, respectfully prayed that the impugned orders dated 28th August, 2024 and 3rd March, 2025 may kindly be set-aside and a direction may kindly be passed to remove the name of the appellant from the rejection list.*
>
> *It is further prayed that a direction may kindly be issued to the respondent to declare the result of the appellant expected to be announced on 31st of April, 2025 in the interest of justice, equity and fairplay.*
>
> *Any other relief, which this Honourable Court deems fit and proper may also be graciously awarded in the favour of the appellant."*

2. The appellant's case is that he applied online for the MPT-CSS/Screening Test Competitive Examination CE-2024 under the Public Notice No. F.2/1(1)/2018-CE, dated 27th August, 2023, of the Commission. After having

qualified for the screening test, he was required to apply online for the written examination of CSS by 08.01.2024 and to submit a hardcopy of the online application and documents to the Commission Office by 18.01.2024. He applied for the written examination online on 08.01.2024, but could not submit a hardcopy of the online application and documents to the Commission Office within the required timeframe, i.e. on or before 18.01.2024, which resulted in rejection of his candidature. Being aggrieved, he preferred representation dated 12.03.2024, which the Commission rejected, vide Office Memorandum No.2-23/2024-CE(005909), dated 28th August, 2024. He assailed the said decision in Review Petition, but met with the same fate, vide Office Memorandum 03rd March, 2025 issued by the Commission.

3. It is pertinent to mention here that the appellant's candidature was rejected during pre-examination scrutiny; as such, he was provisionally allowed to appear in the Examination "ON HIS OWN RISK" as a rejected candidate, which fact was also mentioned in Para-1 of the Admission Certificate/Roll No. Slip. I have seen the requirements in the Public Notice, dated 24th December, 2023, for Competitive Examination, 2024, issued by the Commission. Under clause 6(c), it has clearly been mentioned that duly signed hardcopy of online application alongwith other relevant documents must reach FPSC on or before 18th January, 2024 and in case if hardcopy/documents reach to FPSC after 18th January, 2024, it would not be accepted and candidature will be rejected.

4. Report submitted on behalf of the Commission/respondent No.1, shows that the appellant's representation and review petition were rejected in terms of Rule 11(3 and 4) of CE Rules 2019. It further reveals that

the appellant had already accepted all the rules and regulations for Competitive Examination, vide para 28(d) of his application with a declaration to the effect as under:

> ***"I have read and understood" Rules for Competitive Examination" and "Regulation for Physical Examination" before filing application form and agree to abide by them."***

5. It has also been mentioned in the report that, being a rejected candidate, the result of the appellant has been withheld in terms of Rule 16 (6) of the Competitive Examination Rules, which reads as under:

> ***"(6). The result of any candidate whose candidature is rejected on any ground shall not be declared, irrespective whether he failed or passed the examination."***

6. Given the above, since the appellant failed to apply according to the conditions mentioned in the advertisement and admittedly he did not submit hardcopy of the Online Application to the FPSC/respondent No.1 within stipulated timeframe, as such, I do not find any valid reason for interference in the findings of FPSC. Consequently, the instant petition stands dismissed.

(MUHAMMAD ASIF)
JUDGE

Shoaib