Form No: HCJD/C-121
ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

W.P. No. 193/2018

Dr. Hammad Uwais Agha
Vs.
Federation of Pakistan, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	18.01.2022	Mr. Riffat Hussain Malik, Advocate for petitioner. Syed Nazar Hussain Shah, AAG. Abdul Qayyum, S.O, Establishment Division.

Through the instant writ petition, petitioner has prayed for the following relief;-

> *"The impugned proceedings of the HPSB dated 11.01.2016, including the recommendations made therein, may very kindly be declared to be malafide, discriminatory, invalid, illegal, without lawful authority, void ab-intio as well as ineffective against the rights of the petitioner.*
> *The impugned notification issued by the respondents consequent to the impugned proceedings may very kindly be declared to be malafide, discriminatory, invalid, and illegal, without lawful authority, void ab-initio.*
> *The respondents if they fail to convene a meeting of the HPSB immediate may very kindly be directed to consider promotion as of the date 11.01.2016 and all eligible officers with all benefits as of the said date, who retired in the meanwhile, for promotion to BS-22.*
> *The respondents may very kindly be directed to make promotions to BS-22 in consequence thereof, retrospectively i.e. with effect from 11.01.2016 to compensate for the loss incurred by the petitioner and all eligible officers.*
> *The respondents may very kindly be directed to make promotion to BS-22 in order of seniority, on the basis of merit alone and in accordance with the law, rules and policy.*
> *Any other relief(s) which this Hon'ble Court may deem fit and proper be awarded to the petitioner."*

2. When confronted with the maintainability of the instant petition, learned counsel conceded the fact that `the petitioner is retired from Government service; that if the matter is referred to the committee constituted under FR-17, he would not press the instant petition.

3. In view of the request made by learned counsel, it is expected that the respondent/department shall refer the case of the petitioner to the Committee constituted under FR-17 in accordance with law.

4. Petition stands **disposed of** in above terms.

(ARBAB MUHAMMAD TAHIR)
JUDGE

Kamran.