

Form No:HCJD/C-121

**ORDER SHEET**

**IN THE LAHORE HIGH COURT LAHORE  
JUDICIAL DEPARTMENT**

Case No: W.P.No.72935/2019

Abdul Razzaq Khan

Versus

Province of the Punjab etc.

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Lahore High Court Lahore  
4/12/19

S.No. of order/ Proceeding	Date of order/ Proceeding	Order with signature of Judge, and that of Parties or counsel, where necessary.
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02.12.2019 Mr. Jawwad Tariq Nasim, Advocate for the  
Petitioner.  
Barrister Umair Khan Niazi, Additional  
Advocate General, Punjab (on Court's call).

The only grievance of the Petitioner is that  
the Respondent No.1 is not implementing the  
judgment dated 02.04.2019 delivered by the  
Punjab Service Tribunal, Lahore whereby the  
matter has been referred to the said Respondent  
with a direction to finalize it on expeditious  
basis. www.786Times.com

2. Learned counsel for the Petitioner submits  
that his client has approached the Respondent  
No.1 time and again for implementation of the  
aforesaid order of PST but he is not paying any  
heed to his request. He has placed reliance on the  
judgment reported as WAPDA through Chairman  
and others versus Raja Iftikhar Ahmed and  
others (2018 SCMR 394) wherein the Hon'ble  
Supreme Court of Pakistan has held that *if all the  
points, raised by the learned counsel for the  
Petitioners, have repeatedly been considered,*

addressed and rejected by the Service Tribunal as well as this Court then the same cannot be re-agitated and reopened for the umpteenth time and the attempt on the part of the Petitioners to do so seeks of mala fide. It constitutes denial of the fruits of justice and gross abuse of the process of this Court. We are disappointed, shocked and perturbed by the conduct of the State functionaries, who have blatantly violated and consciously refused to implement the judgments of the Service Tribunal as well as this Court with impunity. Such conduct must be deprecated in the strongest terms. It is the command of the constitution that all executive and judicial authorities throughout Pakistan are bound to act in aid of this court. Any failure to heed and implement this command cannot be taken lightly. Such conduct threatens to strike the very foundation of constitutionalism rule of law and administration of justice". He, at the end, seeks a direction to the Respondent No.1 to implement the aforesaid judgment of PST, in accordance with law. [www.786Times.com](http://www.786Times.com)

3. Learned Law Officer has no objection if such direction be issued to the Respondent No.1 but subject to condition that if there is no stay

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ATTESTED  
C. M. Khan  
Secretary

order of the Hon'ble Supreme Court of Pakistan in the field.

4. In view of the above, this petition is disposed of with a direction to the Respondent No.1 to implement the aforesaid judgment of the PST, strictly in light of the judgment of the Hon'ble Supreme Court, mentioned above, which is binding on him under Article 189 of the Constitution of Islamic Republic of Pakistan, 1973, expeditiously within a period of two weeks from the receipt of certified copy of this order. However, it is made clear that the aforesaid judgment shall not be implemented if there is stay order by the august Supreme Court of Pakistan.

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(JAWAD HASSAN)  
JUDGE

\*Majid

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6368/1  
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PRAYER

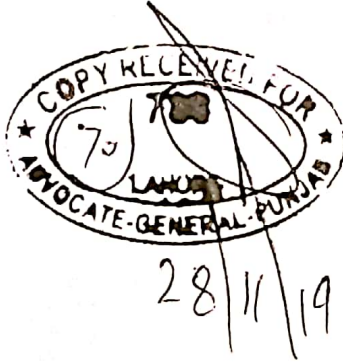
In view of the above made submissions, it is most respectfully prayed that the Writ Petition may kindly be allowed and the Respondent No. 1 may kindly be directed to implement the judgment dated 02-04-2019 passed by the learned Punjab Service Tribunal.

Any other relief deemed appropriate in the circumstances of the case may also kindly be awarded to the petitioner.

عبدلہق خان

PETITIONERS

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THROUGH

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Jawwad Tariq Nasim  
Advocate High Court  
Hafiz Tariq Nasim & Co.,  
9-Fane Road, near Punjab Bar Council,  
Lahore.

CERTIFICATE:

It is certified that as per instructions of the Petitioner this is the first Writ Petition regarding the order dated 02-04-2019.

CERTIFICATE:

Certified that this Petition has arisen from violation / non-fulfilment of obligation under the provisions of Articles 3,4,9, 23, and 24 of the Constitution of Pakistan, 1973 and there is no adequate, speedy remedy available to the Petitioner.

(ADVOCATE)

BEFORE THE HONOURABLE LAHORE HIGH COURT, LAHORE.

W.P NO. 72935 /2019

1. ABDUL RAZZAQ KHAN S/O GHULAM HASSAN KHAN, PRIMARY SCHOOL TEACHER, GOVERNMENT ELEMENTARY SCHOOL, SAMAND WALA, TEHSIL AND DISTRICT MIANWALI.
2. SHAHZAD SADIQ FARIDI S/O, SUBUH SADIQ, SST GOVERNMENT. ELEMENTARY SCHOOL 60-61 GD, DIST. SAHIWAL.
3. MUHAMMAD AFZAL S/O, MUHAMMAD SADIQ, EST (ARABIC) GOVERNMENT M.S ISLAMIA HIGH SCHOOL, GUJRANWALA.
4. MIAN MMUHAMMAD SULEMAN S/O, MIAN MUHAMMAD ASHRAF, EST GOVERNMENT MODEL HIGH SCHOOL NUMBER 1 HAFIZABAD.
5. MUHAMMAD YOUSAF NADEEM S/O., MUHAMMAD ZUBAIR, EST, GOVERNMENT ELEMENTARY SCHOOL KHAN KAY MORE, TEHSIL PATTOKI, DISTRICT, KASUR.
6. AMJAD MEHMOOD S/O, MUHAMMAD YAQOOB, SST GOVERNMENT HIGH SCHOOL TAKHT PARI DISTRICT, RAWALPINDI.

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TESTED  
 For Director Section  
 Cor. P. H. S. K. S. L. H. S. L.

..... PETITIONERS

VERSUS

1. THE PROVINCE PUNJAB, THROUGH CHIEF SECRETARY, CIVIL SECRETARIAT, LAHORE.
2. THE SECRETARY SCHOOLS, GOVERNMENT OF THE PUNJAB, SCHOOL EDUCATION DEPARTMENT, CIVIL SECRETARIAT, LAHORE.