

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**

Constitutional Petition No. D-5859 of 2022  
*(Liaquat Ali v Federation of Pakistan & others)*

Date	Order with signature of Judge(s)
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Before:  
Mr. Justice Muhammad Karim Khan Agha  
Mr. Justice Adnan-ul-Karim Memon

**Date of hearing and order 05.08.2025**

Mr. Muhammad Ramzan advocate for the petitioner.  
Ms. Wajiha Mehdi, Assistant Attorney General.

**ORDER**

**Adnan-ul-Karim Memon, J:** Petitioner prayed that this Court to:

- 1. Direct the Respondent No. 2 (Pakistan Steel Mills) to comply with the court's order dated November 27, 2018, in C.P. No. 3908/2013, and regularize the petitioner's service in Pay Group-VI (PG-VI) instead of the current Pay Group-II (PG-II), with effect from July 1, 2008.**
- 2. Direct the respondents to pay all back benefits and arrears corresponding to Pay Group-VI, consistent with the court's order dated October 2, 2012, in C.P. No. D-3272/2011, and in line with the benefits awarded to other petitioners in similar cases.**

2. The petitioner, initially hired as a Peon in 2002, was later redesignated as an Admin Assistant and then as an Administrative Officer. The petitioner alleges that despite multiple court judgments and internal recommendations, the regularization of his service has been handled inconsistently and unfairly compared to his colleagues. In 2012, this Court directed Pakistan Steel Mills (PSM) to regularize him and other colleagues based on an office memorandum from 2008. This order also included the payment of back benefits and arrears. He added that PSM initially refused to regularize his services, claiming he was in an "officer category" and didn't meet the eligibility criteria. This led to further legal challenges. He pointed out that a 2018 court order directed PSM to form a committee to scrutinize his case as well as his colleagues and decide on their regularization of services. An internal PSM committee recommended that the petitioner, then designated as an "Admin Officer," be regularized in "PG-VI (Worker scale)." Despite the committee's recommendation for PG-VI, the petitioner's service was eventually regularized in "Pay Group-II as Office Attendant" in 2021. The regularization order from 2021 did

not include back benefits and arrears, which the petitioner submits that is a violation of the initial 2012 court order. The petitioner submits that other employees in similar situations, including some who were initially regularized as junior officers, had their designations and pay grades corrected, while the petitioner's case was not. He prayed for allowing the petition.

3. The learned counsel for the petitioner submits that despite this Court's order dated November 27, 2018, which directed the regularization of the petitioner and others in Pay Group-VI, the petitioner's services were improperly regularized in Pay Group-II on May 6, 2021. This action is a clear violation of the court's order and the applicable law. The counsel, therefore, requests that the respondents be directed to regularize the petitioner's services in Pay Group-VI instead of Pay Group-II.

4. learned DAG has opposed the petition on the analogy that the petitioner's regularization request was denied because, as an Admin Officer, he fell into the officer category (BPS-16 and above) as of the cutoff date of June 3, 2008. She added that according to the Establishment Division's policy letter dated August 29, 2008, only employees in BPS-1 to BPS-15 were eligible for regularization. She added that this Court's order and the Supreme Court's dismissal of the appeal were fully implemented. She further submitted that his petition in the Supreme Court was not pressed by the petitioner's counsel. She pointed out that the case of petitioners in the "officer grade" is not needed to be considered after the closure of the Pakistan Steel Mills in 2015.

5. We have heard the learned counsel for the parties and perused the record with their assistance.

6. The petitioner, originally a Peon in 2002, claims Pakistan Steel Mills (PSM) unfairly handled his service regularization. Initially denied as an "Administrative Officer" because PSM classified him in the "officer category," his case was re-evaluated by a 2018 court-mandated committee, which recommended he be regularized in the **PG-VI (Worker scale)**. However, PSM ultimately regularized his service in **PG-II (Office Attendant)** through an office order dated May 6, 2021. The petitioner accepted this regularization on June 2, 2021. The petitioner is now seeking a **writ of Mandamus** under Article 199(1)(a)(i) of the Constitution to compel PSM to regularize him at the higher grade. This request, however, may not yield a fruitful result as the petitioner already accepted the PG-II regularization in 2021, and the mills have since ceased operations. Given these circumstances, a court order for regularization in a higher grade may no longer be practical or enforceable.

7. The jurisdiction of this Court under Article 199 of the Constitution is limited to the extent of ensuring that state functionaries do what they are required by law to do and refrain from doing what they are prohibited by law to do. Unless an act or omission of a state functionary falls within the above parameters, it is not liable to be interfered with.

8. We are of the view that all its directives were followed when the petitioner accepted the regularization. This court finds no violation of fundamental right of the petitioner that would justify its intervention through constitutional jurisdiction. The petition appears to have been filed with ulterior motives and is therefore dismissed, along with all pending applications.

JUDGE

Head of Constitutional Benches