

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Constitutional Petition No. D-922 of 2018

Date	Order with signature of Judge(s)
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For hearing of main case

30.4.2025

Mr. Abdul Salam Memon advocate for the petitioner
Ms. Wajiha Mehdi, Assistant Attorney General
Mr. Yasir Ahmed Shah advocate for the respondent-PQA

The petitioner worked at Port Qasim Authority, where he was subject to disciplinary proceedings. Finally, the disciplinary proceedings came in an end when the following office order was passed: -

“In the light of the facts of the case, the order of the ‘Authority’ for imposition of major penalty of reduction to lower post of UDC is harsh compared to the circumstances of the case. In pursuance to the judgment of the Honourable Sindh High Court Karachi and in terms of Civil Servants Appeal Rules, 1977 and Government Servant (Efficiency and Discipline) Rules, 1973. I, being the Appellate Authority, modify the penalty to minor penalty of “censure” with immediate effect as provided in Rule 4(1)(a)(i) of the Government Servants (Efficiency & Discipline) Rules, 1973. The official will not be entitled to financial arrears of any kind.

Learned counsel for the petitioner submits that in fact two penalties have been given in the Office Order referred to above and under the law this is illegality since only one penalty could have been given and, as such seeks that one of the penalties be dismissed. He seeks that the penalty imposed on him through Office Order dated 04.1.2018 be restricted to that of minor penalty of censure only in terms of Rule 4(1)(a)(i) of the Government Servants (Efficiency & Discipline) Rules, 1973 and that there should be no penalty, which disentitles him to financial arrears of any kind. Learned counsel for the Port Qasim Authority concedes that under the law two penalties cannot be given, as such he has no objection to the penalty of the petitioner be converted to that of one of censure only. Order accordingly.

The petition is disposed of in the above terms.

HEAD OF CONST. BENCHES

JUDGE