

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Suit No.13 of 2016

DATE

ORDER WITH SIGNATURE OF JUDGE

1. For orders on CMA No.65/16 (U/O 39 Rule 1 & 2 CPC)
2. For orders on CMA No.75/19 (U/O 39 Rule 1 & 2 CPC)

07.03.2019.

Mr. Muhammad Arif, Advocate for Plaintiff.
Mr. Shafqat Ali Shah Masoomi, Advocate for Defendants.
Mr. Ameenullah Siddiqui, Asstt. Attorney General.

1-2. Application at Serial No.1 was filed alongwith this Suit and on 06.01.2016 an interim order was passed that insofar as the impugned show cause notice is concerned, the Plaintiff may appear and file appropriate reply and respond to the queries of the Defendant; however, no coercive action be taken. In the meantime, the Hon'ble Supreme Court took up the case of the alleged forged and fake degrees of Pilots / cabin crew etc. working in the Airlines in *Suo Muto* proceedings in Human Rights Case No.8045/2018 and on 24.12.2018 an order was passed directing the PIA to proceed accordingly irrespective of any interim orders passed by any Court. The order reads as under;

The CEO of PIA, Air Marshal Arshad Malik is in attendance and states that out of 73 cases regarding bogus degrees of the pilots and cabin crew, 10 cases have been finalized and action has been taken against the delinquents, whereas stay orders have been obtained prohibiting final action against he accused. Having heard the CEO PIA we direct that the proceedings in the 63 cases be finalized independently by CAA/PIA within a period of 10 days from today irrespective of any stay order obtained by any party from any Court in Pakistan, after which the issue of pendency of cases throughout Pakistan shall be considered by this Court and appropriate orders may be passed.

It appears that pursuant to the aforesaid order, Plaintiff has been dismissed on 1.1.2019 from service and on this; application at Serial No.2 has been filed for reinstatement of the Plaintiff in the service of PIA.

Since PIA has acted upon the directions of the Hon'ble Supreme Court as above, such request cannot be acceded to. Therefore, both

these applications have become infructuous and are dismissed accordingly. The plaintiff may seek appropriate remedy as provided in the Service Regulation of PIA, if any, or in the alternative seek amendment in the Plaint by impugning the order of dismissal / termination and seek damages, if so advised.

J U D G E

Ayaz P.S.