

20.10.2014, 04.12.2015 and lastly on 09.09.2016 whereby the two years contract period was enhanced to 5 years and the same was also made extendable till the age of superannuation or regularization. We have perused the Assistance Package and the subsequent amendments but could not find any provision therein which gives it retrospective effect especially when the grievance of respondent was agitated with a lapse of almost 17 years. It is an established principle of interpretation of statutes / notifications / executive / administrative orders that they would operate prospectively unless they expressly provide for retrospective operation. This Court in the case of *Hashwani Hotels Ltd. Vs Federation of Pakistan* (PLD 1997 SC 315) has acknowledged this fact by observing that "it is a well settled principle of interpretation of a notification and/or an executive order that the same can operate prospectively and not retrospectively. This principle is equally applicable to a statute in the absence of any express or implied intendment contrary to it." In this view of the matter, when it is clear that afore-referred Assistance Package for legal heirs of deceased government employee was not available at the time when deceased employee died and the same was issued later on with prospective effect, the respondent was not deprived of any right accrued to him at the relevant time by not appointing him. The learned High Court has erroneously presumed that a statute or rule, which gives right to the citizens, always operates retrospectively. If this is accepted, it would tantamount to opening a floodgate for all other similarly placed persons".

3. In view of the above and the Judgment of the Hon'ble Supreme Court, the Petitioner does not appear to be entitled to be appointed under 'Deceased Quota', as the Policy in the present case was introduced in the year 2002; whereas, the Petitioner's father had expired in the year 1998; therefore, this Petition being misconceived is hereby dismissed.

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Ahmad