

*Order Sheet*  
**IN THE HIGH COURT OF SINDH KARACHI**  
**CP No.D-7335 of 2019**

[Syed Nasir Abbas Abidi v. Pakistan Defence Officers Housing Authority and another]

Date	Order with signature(s) of Judge(s)
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Present:

**Justice Mohammad Karim Khan Agha**  
**Justice Adnan-ul-Karim Memon**

1. For orders on office objection
2. For hearing of main case

**02.05.2025**

Mr. Ehasanullah, advocate for the petitioner

M/s. Malik Naeem Iqbal and Talha Abbasi, advocates for the respondent No.2

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**Mohammad Karim Khan Agha, J.** The main grievance of the petitioner is that the petitioner was holding contract position of UDC in the Pakistan Defence Housing Authority (`PDHA`) and his services were dispensed with on 08th July, 2011 under Rule 8b(i) of Service Rules of Employees of Pakistan Defence Officers Housing Authority-2008 (`PDOHA-2008`), with one month pay in lieu of one month notice period in writing (the impugned letter) and he now seeks re-instatement as according to him the impugned letter was passed without lawful authority.

2. We have heard learned counsel for the parties and perused the record.

3. It is noted that the petitioner's services were dispensed with on 08<sup>th</sup> July, 2011. At that time, the service rules of employees of PDOHA-2008 and in particular Rule 8 (b) (i) thereof was in the field.

4. Rule 8b(i) of Service Rules of Employees of PDOHA-2008 is reproduced below for ease of reference:

“b. Rules for Governing Termination / Dismissal/Resignation

(1) The Administrator may dispense with the services of an employee by giving him one month's notice or one month's pay in lieu thereof. Similarly, an employee may resign from service by giving one month's notice by paying one month's pay in lieu thereof.”

5. We find that the services of the petitioner were legally dispensed with under Rule 8(b)(i) of the Service Rules for Employees of PDOHA-2008,

which was in the field at the time his services were dispensed with through the impugned letter which does not suffice from any legal infirmity.

6. Accordingly, we find no illegality in the dispensment of the services of the petitioner. We note that the petitioner has relied upon the case of *Pakistan Defence Officers Housing Authority v. Mrs. Itrat Sajjad Khan and others* (2017 SCMR 2010) and unreported judgment dated 22.01.2020 passed in CP No.D-838 of 2014; however, both judgments do not have retrospective effect, therefore, will not be helpful to him as the services of the petitioner were dispensed with under the Rule 8 (b) (i) (*ibid*) which also in the field at the time of his services being dispensed with.

The petition stands dismissed alongwith pending application(s).

Head of Const. Benches

JUDGE