

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
CP No. D-4708 of 2022**

*(Ms. Farida Zia [Farida Bashir] v. Pakistan International Airlines Corporation & Others)*

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**DATE: ORDER WITH SIGNATURE(s) OF JUDGE(s)**

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**Before:**

**Mr. Justice Muhammad Faisal Kamal Alam  
Justice Ms. Sana Akram Minhas**

1. For Hearing of CMA No.19984 / 2022 (Exemption App.)
2. For Hearing of Main Case

**3-10-2025**

M/s Ameeruddin & Yasmeen Bano, Advocates for Petitioner

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**ORDER**

1. **Sana Akram Minhas, J:** The issue pertains to the Petitioner's submission of a forged Intermediate Certificate to PIAC (Respondent No.1). The Petitioner has challenged the orders of both the fora below, which dismissed her Grievance Petition against the dismissal imposed by PIAC vide order dated 1.1.2019, upon discovery that she had submitted a forged Intermediate Certificate at the time of her employment.
2. Learned Counsel has emphasized that the dismissal from service, as well as the Orders of the Fora below, are erroneous and overlook the basic fact that the prescribed qualification for the post applied for was Matriculation. Upon a specific query from the Court as to whether the Petitioner had in fact submitted an Intermediate Certificate certified by the Board at the time of her appointment as alleged in the Show Cause Notices dated 12.8.2014 (**at Court File Pg.65, Annex A-10**) and 18.12.2017, the answer by Counsel was in the affirmative. The Counsel, however, contended that the submission of the Intermediate Certificate, and whether it was genuine or forged, was wholly immaterial. His sole argument before the Court was that the Petitioner had been inducted into PIA on the basis of a genuine Matriculation Certificate, and not on the strength of the Intermediate Certificate; therefore, even if the latter were forged, it ought not to have made any difference.
3. This argument is flawed and deserves outright rejection for the reasons that the very act of submitting a forged document, whether required or not, or even if not an essential qualification for the post, amounts to serious deception and misconduct. The requirement of honesty and integrity in service extends to all documents furnished by an employee. A candidate

who relies on a forged certificate to enhance her credentials cannot claim protection on the ground that the minimum prescribed qualification was otherwise met. No organization can be compelled to retain in its service a person who, at the very threshold, sought to improve her credentials through fraud. To accept such an argument would legalise fraud, trivialise integrity and reward deception.

4. To argue otherwise is akin to suggesting that producing a forged driving licence may be overlooked because the person genuinely knows how to drive or that the use of counterfeit currency may be excused merely because the person already possessed sufficient genuine money to buy the item in question – a notion entirely destructive of truth and integrity and an argument which no fair system of justice can accept. Consequently, the PIAC's termination order cannot be faulted.
5. There is another significant aspect that merits particular attention, namely the Petitioner's own stance as reflected in the following documents:
  - i) The Petitioner in her Reply dated 21.12.2018 (**at Court File Pg. 85, Annex A-15**) to the two Show Cause Notices dated 12.8.2014 and 18.1.2017, has stated (In unnumbered paragraph 4), that "... .. **.... The Intermediate Certificate was submitted with the belief that the same was genuine, even though it was not required to qualify for the appointment of the post I was appointed against.**"
  - ii) Similarly, the Petitioner in (paragraph 18) of her Grievance Petition dated 14.3.2019 (**at Court File Pg. 37, Annex A-3**) has reiterated that "... .. **although the [Intermediate] certificate was submitted believing to [be] genuine ... ..**".

This explanation is both startling and wholly implausible. The Petitioner was not engaged in courier or forwarding services nor tasked with delivering or forwarding the educational documents of a third party. She was furnishing her own educational certificates, which could only have been issued to her upon her personal appearance and successful completion of the requisite examination. Therefore, for her to claim that she submitted such a document believing it to be genuine is utterly untenable and disingenuous. A person is presumed to have knowledge of the status and authenticity of her own academic credentials. To plead ignorance in this context is not merely evasive – it betrays a deliberate attempt to evade responsibility and exonerate herself from the consequences of having produced a forged certificate. Such a claim defies common sense, undermines the credibility of the Petitioner's entire defence and is unworthy of acceptance.

6. As stated above (in paragraph 3), the submission of the Intermediate Certificate by the Petitioner, even though the post required only a Matriculation qualification, was evidently done with the intent to embellish her academic profile and to present herself as better qualified than she

actually was, so as to gain an unwarranted advantage in the recruitment process, particularly if other candidates possessed similar educational qualifications. Such conduct, by its very nature, reveals a conscious and deliberate attempt to misrepresent facts, and constitutes clear misconduct involving moral turpitude and deliberate deception.

7. Counsel for the Petitioner has placed reliance on an Order dated 23.2.2021 passed by a Division Bench of this Court in CP No. D-5878/2019 (*Khalid Mansoor v. National Industrial Relations Commission Islamabad & Others*), contending that in similar circumstances the petition of an employee dismissed by PIAC was allowed. However, the facts of the cited case are clearly distinguishable. As recorded in paragraph 10 of the referenced Order, the initial appointment of the said employee was not obtained on the basis of fake documents; rather, his subsequent promotion was secured through documents that were later discovered to be forged. In contrast, the present Petitioner had submitted a forged certificate at the very threshold, for the purpose of obtaining employment itself.
8. The Petitioner was dismissed from service after due process, including an inquiry, issuance of a show cause notice, grant of personal hearing, and finally, the impugned dismissal order. Both the fora below have duly considered the matter and rendered fair and reasoned decisions. No other ground has been raised before us with regard to overall dismissal of the Petitioner. Even otherwise, the constitutional jurisdiction of this Court, under Article 199 of the *Constitution of Pakistan, 1973*, cannot be invoked to aid or protect a person who has approached the employer with unclean hands, indulged in forgery, or sought to secure or retain employment through deceit. To do so would amount to putting a judicial premium on fraud, which the law does not countenance.
9. In view of the above discussion, we do not find any infirmity in both the Impugned Orders dated 14.3.2019 and 25.2.2022 passed by the Single Bench and the Full Bench of the *National Industrial Relations Commission* (NIRC) respectively, which are maintained. Consequently, this Petition is **dismissed with costs** of Rs.5,000/- (*Rupees Five Thousand only*), which is to be deposited with the High Court Clinic within one week.

JUDGE

JUDGE

***Office is directed to communicate copy of this Decision to the Chairman PIAC through Email as well as usual modes.***