

**IN THE SUPREME APPELLATE COURT GILGIT-BALTISTAN
C.P.L.A. No. 82/2015.**

**Before: - Mr. Justice Dr. Rana Muhammad Shamim, C.J.
Mr. Justice Muzaffar Ali, J.**

Provincial Government through Chief Secretary GB and others.

Petitioners/Appellants.

Versus

Farid Ullah PS and 105 others

Respondent/Applicants.

**PETITION FOR LEAVE TO APPEAL UNDER ARTICLE 60 OF
GILGIT-BALTISTAN (EMPOWERMENT & SELF
GOVERNANCE) ORDER, 2009, ETC.**

**FOR SETTING ASIDE THE IMPUGNED JUDGEMENT
HOLDING THE SAME PASSED WITHOUT JURISDICTION
AND AUTHORITY AND WITHOUT ANY RIGHT OF
RESPONDENTS TO FILE MISC PETITION FOR
IMPLEMENTATION OF EXECUTIVE.**

Present: -

Advocate General Gilgit-Baltistan, for the Petitioners.

Dated of Hearing:-17-09-2015.

JUDGMENT

Dr. Rana Muhammad Shamim, CJ..... The learned Advocate General Gilgit-Baltistan contends that this Service Appeal No. 137/2014 was filed before the Gilgit-Baltistan, service Tribunal, wherein, the services Tribunal, Gilgit-Baltistan has converted service appeal into Misc. application and passed judgment on Misc. Petition No. 289/2014, without any lawful authority and without any jurisdiction. He further contended that the Gilgit-Baltistan

service Tribunal has also no jurisdiction to direct the respondents to implement OM dated 23-12-2011, similarly, the respondents have not right to file service appeal before the Service Tribunal for implementation to Office Memorandum No. F.N 10 (55) Legal – II/2010 -1055 dated 23-12-2011. He further contended that the learned Chief Court, Gilgit-Baltistan while passing the impugned order/judgment did not consider the legal points raised by the respondents (and now petitioners in the case in hand), hence, the Miscellaneous Petition No. 289/2014 is not maintainable and liable to set aside.

We have heard the learned counsel for the petitioners as he could not point out any infirmity and illegality in the impugned Miscellaneous Petition No. 289./2014 dated 28-05-2015 passed by the Gilgit-Baltistan, Service Tribunal. We are not inclined to grant leave. The leave to appeal is accordingly refused. The impugned judgment dated 28-05-2015 passed by the Service Tribunal Gilgit-Baltistan is maintained.

Leave refused.

Chief Judge

Judge

Whether the case is fit to be reported.