FEDERAL CONSTITUTIONAL COURT OF PAKISTAN
(Original/Appellate/Advisory Jurisdiction)

PRESENT:
Justice Ali Baqar Najafi
Justice Rozi Khan Barrech
Justice Syed Arshad Hussain Shah

CMA No.5286/2025 in CPLA No. 3780 of 2016
[against the impugned order dated 15.02.2018 passed by Supreme Court of Pakistan in CPLA No.3780 of 2016]

Muhammad Azam .... Petitioner (s)

Versus

Province of Punjab through Chief Secretary Government of Punjab, Lahore & others .... Respondent (s)

For the Petitioner (s) : Mr. Muhammad Siddique Qureshi, ASC
Syed Rifaqat Hussain Shah, AOR
Petitioner in person.

For the Respondent(s) : N.R.

Date of Hearing : 12.11.2026

JUDGMENT

Ali Baqar Najafi, J.- Through this CMA, the applicant/petitioner seeks restoration of the CPLA No.3780 of 2016 which was dismissed for non-prosecution on 15.02.2018 on the ground that the applicant remained under the impression that case was not fixed but when he came to know in June, 2025 that the case had been dismissed for non-prosecution, he immediately obtained the copies and filed the application for restoration. This was the precise case of applicant. However, the petitioner neither attached the affidavit of his counsel or even had mentioned that he never received any notice or intimation of the fixation of the case. Even otherwise the petitioner could possibly approach the Punjab Service Tribunal as a writ petition was barred under section 212 of the Constitution of Islamic Republic of Pakistan, 1973, since the matter

related to the terms and condition of service of the petitioner who was seeking promotion to the higher grade.

2. In this view of the matter, this CMA is **dismissed**.

JUDGE

JUDGE

Islamabad
12.11.2026
NOT APPROVED FOR REPORTING
A.Qadoos*

JUDGE