Regularisation of Contract, Project and Ad Hoc Employees under Pakistani Law

Statutory Basis, the Khyber Pakhtunkhwa Act of 2009, Project Posts, Date of Effect and Service Benefits (2001–2026)

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Abstract

This paper examines 100 reported judgments on the regularisation of contract, project, ad hoc, daily-wage and fixed-pay employees: 74 of the Supreme Court of Pakistan and 26 of the Peshawar High Court, decided between 2001 and 2026 and collected on the Pakistan Law Site. The answers in Annexure A are given in the words of the reports. The main findings are these. Regularisation is not a vested right and needs a statutory basis (2022 SCMR 566). Long service is no ground for it (2022 SCMR 964). It is the prerogative of the Executive and takes effect from its own date (2022 SCMR 897; 2021 SCMR 760). Project employees are outside the Punjab Regularization of Service Act, 2018 (2020 SCMR 507), and project employees in Khyber Pakhtunkhwa have no right merely because regular posts were later created (2021 SCMR 1376). On the other side, the Government may not pick and choose among similarly placed employees (2016 SCMR 1375). Contractual disclaimers do not defeat a claim that falls within the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 (2021 SCMR 630). A writ lies only where a law or a policy applies across the board (2024 SCMR 1877).

Keywords: regularisation; contract employee; project employee; ad hoc; daily wages; Khyber Pakhtunkhwa Regularization Act 2009; Punjab Regularization Act 2018; Public Service Commission; seniority; pension; Article 371-A; writ jurisdiction.

1. Introduction

Every year thousands of persons are engaged in Pakistan's public sector outside the regular method of recruitment: on contract, on project posts, on an ad hoc basis, on daily wages or on fixed pay. When the contract or project ends, they ask the courts to regularise them. The questions are always the same. Is there a right to be regularised? Under which law? Does it matter that the employee worked on a project? From what date does regularisation take effect? What happens to seniority, pay and pension? When will a High Court entertain a writ? This paper answers those questions from the reported decisions of the Supreme Court and the Peshawar High Court.

2. Sources and Method

All judgments were collected on the Pakistan Law Site by subject search in the Supreme Court and the Peshawar High Court databases. Each citation, title, bench, case number and date of decision was checked against the report itself. Judgments whose particulars could not be fully verified were left out rather than guessed. Supreme Court judgments are given priority, and among them the newest ratios. Peshawar High Court judgments fill the gaps, particularly on the Khyber Pakhtunkhwa statutes. The

leading or "mother" judgments are marked "✓ *Mother judgment*" in Annexure A. Each answer in the Annexure is given in the words of the report.

3. The Law in Phases

3.1 No vested right; a statutory basis is required

The settled starting point is that "regularization is not a vested right but requires a statutory basis" (2022 SCMR 566 ✓). The Court has repeated the point many times:

- temporary, contract and project employees have "no vested right to claim regularization" (2022 SCMR 472; 2021 SCMR 1433; 2021 SCMR 998);
- "Long service is no ground for regularization" (2022 SCMR 964 ✓);
- nobody becomes regular "by mere efflux of time" (2021 SCMR 1995; 2003 SCMR 1269);
- there is no automatic right unless the law so provides (2020 SCMR 2068);
- regularisation cannot be enforced where it is not part of statutory terms of service (2021 SCMR 609).

The Peshawar High Court applies the same rule. Contract, ad hoc and fixed-pay employees cannot claim regularisation "unless and until the same is backed by any law/statute" (2023 PLC(CS) 358). A claim to regularisation is in substance a claim to appointment, and a law under Article 240 of the Constitution is required (2022 PLC(CS) 1275 ✓). Repeated extensions of a contract do not change this (2018 PLC(CS) 387).

3.2 The Khyber Pakhtunkhwa Act of 2009

The Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 is the main source of relief in this Province. To benefit from it, the ad hoc or contract employee "must be appointed by the Government", and three categories are excluded from section 3 (2021 SCMR 1871 ✓). A person not appointed by the Government is not an "employee" under the Act (2023 SCMR 1932). Salary slips are not proof of the nature of an appointment (2011 SCMR 898).

Where an employee does fall within the Act, contractual disclaimers in the appointment letter do not defeat the claim (2021 SCMR 630 ✓). Employees regularised under the Act rank junior to candidates recommended by the Public Service Commission before the Act came into force (2022 SCMR 1471). Earlier, the Supreme Court held that contract employees on project works could fall within section 19(2) of the NWFP Civil Servants Act (2011 SCMR 1004 ✓). That decision should now be read with the later project-post line below.

3.3 Project employees

Since 2020 the Supreme Court has been consistent:

- project employees are not entitled to regularisation under the Punjab Regularization of Service Act, 2018 (2020 SCMR 507 ✓);
- creating regular posts does not, without statutory support, give project employees an automatic right (2021 SCMR 1376);

- a project employee who knew the terms when he applied cannot claim regularisation (2021 SCMR 1045);
- the court will not "step into the shoes of the employer" and force it to employ someone for whom there is no post (2022 SCMR 406).

The Peshawar High Court has followed this line for tourism and culture project staff (2026 PLC(CS) 1178; 2025 PLC(CS) 87). It also refused to keep a regularisation order alive once the Supreme Court had set aside the precedent it rested on (2023 MLD 2003).

Within these limits, the Supreme Court has still required equal treatment. The Government "could not adopt a policy of cherry picking" among similarly placed project employees (2016 SCMR 1375 ✓). For project contract employees in BPS-16 and above in Balochistan, the Court directed the Public Service Commission to entertain their applications without the age bar (2024 SCMR 145).

3.4 Who may regularise: competence and the Public Service Commission

Regularisation must come from the authority competent under the law:

- the Cabinet Sub-Committee cannot recommend regularisation of posts in BS-16 and above, and any such recommendation is void ab initio (2025 SCMR 104 ✓);
- recommendations that never went to Cabinet create no right (2025 SCMR 443);
- neither the Interior Minister nor the Chief Minister can order regularisation outside the statute or rules (2017 SCMR 1979; 2018 SCMR 1120);
- the Chairman of a Board cannot regularise alone (2014 SCMR 652);
- an incompetent authority cannot create a right (2024 SCMR 809).

Above all, regularisation cannot become "another door of entry" that bypasses the Public Service Commission (2019 SCMR 830 ✓).

3.5 Equal treatment, and its limit

Similarly placed employees must be treated alike (2026 SCMR 838; 2021 PLC(CS) 390; 2020 PLC(CS) 581). Disabled contract employees may not be discriminated against (2025 SCMR 612). The limit is that an illegal benefit given to one person cannot be claimed by others: "other persons cannot plead ... that the same benefit must be allowed to them also in violation of law" (2024 SCMR 527 ✓).

3.6 Date of effect and seniority

"Regularization is the prerogative of the Executive", and the employee "cannot choose the date" (2022 SCMR 897 ✓). Regularisation takes effect from the date of regularisation under the relevant Act or Policy (2021 SCMR 760; 2021 SCMR 767; 2021 SCMR 1008). Seniority runs from regularisation and not from the ad hoc appointment (2020 SCMR 1519). Contrast 2014 SCMR 1289, which reckons seniority from initial appointment where the appointment was regular from the start.

Some judgments allow benefits from initial appointment where the facts or the terms of regularisation so provide:

- absorbed outsourced staff of a State company (2018 SCMR 1181);

- National Bank contract employees (2020 PLC(CS) 1529);
- NADRA, according to its terms of regularisation (2022 PLC(CS) 255);
- ERRA staff, with notional increase but no arrears (2021 PLC(CS)N 30).

3.7 Pay, increments and pension

Contractual service cannot be used to make up a deficiency in qualifying service for pension (2021 SCMR 1546; 2023 PLC(CS) 1383). However, continuous and undisputed contractual service may count under Article 371-A of the Civil Service Regulations (2025 SCMR 168; 2024 PLC(CS) 1160). Daily-wage service has been counted for pension (2021 PLC(CS) 1237) and for teachers under the Education Code, 2006 (2022 SCMR 77). Untrained teachers receive increments for the period before regularisation (2016 SCMR 1611). The intervening period after wrongful termination counts towards pension (2016 SCMR 1443; 2016 SCMR 1602). Where a person is reinstated, the intervening period is regularised as leave (PLD 2026 SC 145).

3.8 Writ jurisdiction and procedure

"Writ only lies if it is permissible under some law and policy decision across the board", and only against an organisation amenable to writ jurisdiction (2024 SCMR 1877 ✓). The High Court cannot rewrite the terms of a contract (2021 SCMR 977). Procedural bars also apply:

- laches (2016 SCMR 183);
- Order II, Rule 2 CPC against a second petition (2024 SCMR 766);
- past and closed transactions (2023 SCMR 992);
- re-agitating earlier petitions (2023 PLC(CS) 1561).

Pending a Scrutiny Committee decision, the employee is not to be terminated (2025 SCMR 14). Where the department has made a commitment before the Tribunal, it cannot later resile from it (2023 SCMR 354).

4. Where the Authorities Conflict or Leave a Gap

(a) Project employees under the 2009 Act. The 2011 decision in Kaleem Shah (2011 SCMR 1004) brought project contract employees within section 19(2), and Adnanullah (2016 SCMR 1375) forbade cherry picking. The 2021–2022 line (2021 SCMR 1376; 2021 SCMR 1045; 2022 SCMR 406; 2022 SCMR 964) refuses relief where there is no statutory support. The later line now governs. Adnanullah remains authority for equal treatment among employees who are similarly placed.

(b) Date of benefits. The general rule is that regularisation takes effect from its own date (2022 SCMR 897). Older and fact-specific decisions grant benefits from initial appointment (2018 SCMR 1181; 2020 PLC(CS) 1529; 2018 PLC(CS)N 17). The terms of the regularisation order or statute decide the question.

(c) Contractual service for pension. 2021 SCMR 1546 refuses to add contractual service to make up a shortfall in qualifying service. 2025 SCMR 168 counts continuous, undisputed service under Article 371-A. The distinction is whether the service was continuous and was followed by regularisation without a break.

(d) Long service. 2004 SCMR 630 and 2018 SCMR 157 treat long service as giving rise to entitlement. 2022 SCMR 964 and 2021 SCMR 1995 reject long service as a ground. The later decisions prevail unless the employer's own rules or policy provide otherwise.

5. Practical Guide

1. Identify the statute or policy relied on (the 2009 KP Act, the 2018 Punjab Act, the Railways 2012 Policy, a Cabinet decision). Without it, the petition will fail (2022 SCMR 566; 2023 PLC(CS) 358).
2. Prove appointment by the Government and the nature of the post. A project post is fatal unless the statute covers it (2021 SCMR 1871; 2020 SCMR 507).
3. Check the competence of any authority whose order is relied on (2025 SCMR 104; 2024 SCMR 809).
4. Plead discrimination only with similarly placed comparators appointed lawfully (2016 SCMR 1375; 2024 SCMR 527).
5. Claim benefits from the date the law or the terms allow, not from the date you would prefer (2022 SCMR 897; 2021 SCMR 760).
6. File promptly, raise all claims in one petition, and do not reopen closed matters (2016 SCMR 183; 2024 SCMR 766; 2023 SCMR 992).
7. For the department: record the terms of the contract, refer cases to the Scrutiny Committee, and keep commitments made before the Tribunal (2025 SCMR 14; 2023 SCMR 354).

6. Conclusion

Regularisation is a creature of statute and policy, not of sympathy or long service. Courts will enforce a law or a policy that applies across the board, and will strike down discrimination among similarly placed employees. They will not, however, create posts, rewrite contracts, extend projects or allow anyone to bypass the Public Service Commission. Counsel on either side should begin with the statute and the appointment letter, because the reported cases are decided on those two documents.

Annexure A — The Judgments in Question and Answer Form

All 100 judgments relied on, Supreme Court first and then the Peshawar High Court, newest first within each court. Each entry gives the citation, parties, bench, case number and date of decision as reported on the Pakistan Law Site, followed by the question decided and the answer.

Supreme Court of Pakistan (74)

1. 2026 SCMR 838 — Member (Power), WAPDA v. Sher Bahadur

Before: Syed Hasan Azhar Rizvi and Malik Shahzad Ahmad Khan, JJ; Civil Petition for Leave to Appeal No. 2975 of 2024, decided 4 September 2025

Q. Must similarly placed ad hoc employees be treated alike in regularization?

A. Yes; the Tribunal's judgment extending equal treatment “was well-reasoned” and no substantial question of law arose. Leave refused.

2. 2026 SCMR 22 — Syed Saad Ali v. Federation of Pakistan

Before: Muhammad Ali Mazhar, Syed Hasan Azhar Rizvi and Aqeel Ahmed Abbasi, JJ; C.P.L.As. Nos. 407-K and 449-K of 2021, decided 12 June 2025

Q. What if the High Court does not attend to the question of law raised by CAA contract employees?

A. The judgment “was set aside and the matter was remanded to the High Court for fresh adjudication.”

3. PLD 2026 SC 145 — Tahir Kazmi v. Inspector General of Police, Punjab

Before: Syed Mansoor Ali Shah and Aqeel Ahmed Abbasi, JJ; Civil Petitions Nos. 3453-L of 2019 and 23-L of 2022, decided 14 May 2025

Q. How is the intervening period of wrongful removal regularized?

A. The Court explained the “regularization of intervening period by 'leave without pay' or 'leave of kind due'---Purpose and meaning”, under its doctrine of constructive continuity.

4. 2025 SCMR 612 — Chairman, NADRA v. Abdul Majeed

Before: Amin-ud-Din Khan, Muhammad Ali Mazhar and Syed Hasan Azhar Rizvi, JJ; Civil Petition No. 6059 of 2021, decided 28 November 2024

Q. Can a disabled contract employee be discriminated against in regularization?

A. No; the High Court's judgment had “no illegality or perversity.” Leave refused.

5. 2025 SCMR 443 — Government of the Punjab v. Zaka Ullah

Before: Ayesha A. Malik, Irfan Saadat Khan and Shahid Bilal Hassan, JJ; Civil Petition No. 1114-L of 2022, decided 20 December 2024

Q. Do committee recommendations create a right to regularization?

A. No. “Matter of regularization was never placed before Cabinet therefore, no recommendations could create any right in favour of respondents / contract employees.”

6. 2025 SCMR 104 — Mohsin Raza Gondal v. Sardar Mahmood ✓ *Mother judgment*

Before: Yahya Afridi, Syed Hasan Azhar Rizvi and Irfan Saadat Khan, JJ; Civil Petitions Nos. 949, 1025, 1028 and 1132 to 1134 of 2023, decided 13 September 2024

Q. Can the Cabinet Sub-Committee regularize posts in BS-16 and above?

A. No. It "lacks the authority to recommend the regularization of posts in BS-16 and above"; any such recommendation "is void ab initio and without any lawful authority."

7. 2025 SCMR 14 — Province of Punjab v. Qasim Mehmood

Before: Amin-ud-Din Khan, Muhammad Ali Mazhar and Irfan Saadat Khan, JJ; Civil Petition No. 3520 of 2020, decided 9 October 2024

Q. What happens while a regularization case is before the Scrutiny Committee?

A. Cases go to the competent authority, and "till determination of eligibility, services of respondent/contract employees would not be terminated."

8. 2025 SCMR 168 — Chairman/Dean, Sheikh Zayed Hospital v. Amjad Mehmood Khan

Before: Munib Akhtar, Athar Minallah and Syed Hasan Azhar Rizvi, JJ; Civil Petition No. 1353-L of 2023, decided 12 September 2024

Q. Does contractual service count for pension under Article 371-A?

A. Yes, where service "was continuous and uninterrupted and this had not been disputed"; the Tribunal rightly allowed the appeal.

9. 2024 SCMR 1877 — Waqar Ahmed v. Federation of Pakistan ✓ *Mother judgment*

Before: Muhammad Ali Mazhar and Syed Hasan Azhar Rizvi, JJ; Civil Petitions Nos. 278-K and 279-K of 2022, decided 2 August 2024

Q. When does a writ lie for regularization of contractual employees?

A. "Writ only lies if it is permissible under some law and policy decision across the board, provided that the said organization is amenable to the writ jurisdiction."

10. 2024 SCMR 1258 — Abdullah Jumani v. Province of Sindh

Before: Jamal Khan Mandokhail, Muhammad Ali Mazhar and Syed Hasan Azhar Rizvi, JJ; Civil Appeals Nos. 26-K to 38-K of 2021 and connected C.M.As., decided 29 December 2023

Q. Can regularization of Deputy District Attorneys be decided without hearing affected parties?

A. No; the matter was remanded "for deciding the Constitution Petitions afresh after providing opportunity of hearing to all the parties."

11. 2024 SCMR 809 — Secretary School Education, Government of the Punjab v. Riaz Ahmed

Before: Sardar Tariq Masood, ACJ, Syed Mansoor Ali Shah and Athar Minallah, JJ; Civil Petitions Nos. 928-L to 930-L of 2021, decided 19 December 2023

Q. Can an incompetent authority create rights for regularized Graduate Primary Teachers?

A. No; it "was not competent to purportedly create a right in favour of the respondents"; the Tribunal's judgment was set aside.

12. 2024 SCMR 766 — Province of Punjab (Population Welfare) v. Shehzad Anjum

Before: Qazi Faez Isa, CJ, Muhammad Ali Mazhar and Musarrat Hilali, JJ; Civil Petition for Leave to Appeal No. 1974-L of 2020, decided 1 February 2024

Q. Can a second petition for regularization be filed on the same cause?

A. No; relief was barred “because of the restriction in Order II, Rule 2 of the Civil Procedure Code”; the second petition was dismissed.

13. 2024 SCMR 559 — Punjab Employees Social Security Institution v. Javed Iqbal

Before: Amin-ud-Din Khan and Syed Hasan Azhar Rizvi, JJ; Civil Petition No. 2007-L of 2023 and connected matters, decided 18 January 2024

Q. What direction issues on a pending regularization claim?

A. The matter was to be taken up with the relevant authority “to ensure decision within a period of six months positively.”

14. 2024 SCMR 527 — Vice-Chancellor, Agriculture University, Peshawar v. Muhammad Shafiq ✓ *Mother judgment*

Before: Syed Mansoor Ali Shah, Jamal Khan Mandokhail and Athar Minallah, JJ; Civil Petition No. 496-P of 2020 and connected petitions, decided 17 January 2024

Q. Can others claim regularization because someone was illegally regularized?

A. No. “Where a person gains, or is granted, a benefit illegally, other persons cannot plead, nor can the court accept such a plea, that the same benefit must be allowed to them also in violation of law.”

15. 2024 SCMR 145 — Chief Secretary, Government of Balochistan v. Adeel-ur-Rehman

Before: Munib Akhtar, Shahid Waheed and Musarrat Hilali, JJ; Civil Appeal No. 441 of 2020, decided 1 December 2023

Q. How are project contract employees in BPS-16 and above to be inducted?

A. Through the Public Service Commission, which “shall entertain their applications”, and age limit “shall not be a hurdle.”

16. 2023 SCMR 1932 — Muhammad Suleman v. Chief Secretary, Government of Khyber Pakhtunkhwa

Before: Sayyed Mazahar Ali Akbar Naqvi and Athar Minallah, JJ; Civil Petition No. 4424 of 2021, decided 17 August 2023

Q. Can one not appointed by the Government claim under the KP Regularization Act, 2009?

A. No; he fell outside the definition of 'employee' and “was not eligible to be regularized under the Act of 2009.”

17. 2023 SCMR 1381 — NADRA v. Jawad Khan

Before: Sardar Tariq Masood, Amin-ud-Din Khan and Muhammad Ali Mazhar, JJ; Civil Petitions Nos. 596 to 598 of 2021, decided 8 May 2023

Q. Can the High Court grant relief to NADRA contractual employees?

A. Yes; it “was not only justified in entertaining the petition, but also rightfully granted relief.”

18. 2023 SCMR 992 — Muhammad Raqeeb v. Government of Khyber Pakhtunkhwa

Before: Yahya Afridi, Sayyed Mazahar Ali Akbar Naqvi and Muhammad Ali Mazhar, JJ; Civil Appeal No. 1414 of 2021, decided 2 March 2023

Q. Can a project employee reopen a past and closed regularization dispute for pension?

A. No; it was "an abuse of process of the Court." Appeal dismissed.

19. 2023 SCMR 354 — Divisional Superintendent Postal Services, Faisalabad v. Khalid Mahmood

Before: Sardar Tariq Masood, Amin-ud-Din Khan and Muhammad Ali Mazhar, JJ; C.M.As. Nos. 3837 to 3845 and connected petitions of 2022, decided 6 October 2022

Q. Can the department resile from its commitment before the Tribunal on arrears after regularization?

A. No; the plea "was also hit by the doctrine of approbate and reprobate." Leave refused.

20. 2022 SCMR 1471 — Badshah Zamin v. Siraj Khan

Before: Sajjad Ali Shah and Jamal Khan Mandokhail, JJ; Civil Appeals Nos. 290 to 297 of 2022, decided 2 June 2022

Q. Where do employees regularized under the 2009 Act rank?

A. They "shall rank junior to those candidates, whose recommendations were made by the Commission, prior to the commencement date of the 2009 Act."

21. 2022 SCMR 964 — Deputy Commissioner Upper Dir v. Mst. Nusrat Begum ✓ *Mother judgment*

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Munib Akhtar, JJ; Civil Appeal No. 275 of 2020, decided 1 February 2022

Q. Is long service on a project post a ground for regularization?

A. No. "Long service is no ground for regularization."

22. 2022 SCMR 897 — Province of Punjab v. Prof. Dr. Javed Iqbal ✓ *Mother judgment*

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Sayyed Mazahar Ali Akbar Naqvi, JJ; Civil Appeal No. 966 of 2020, decided 14 July 2021

Q. From what date does regularization take effect, and who decides?

A. From its own date; the "employee also cannot choose the date"; "regularization is the prerogative of the Executive and it cannot be arbitrarily interfered with by the Court."

23. 2022 SCMR 566 — Deputy Director Finance and Administration, FATA v. Dr. Lal Marjan ✓ *Mother judgment*

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Munib Akhtar, JJ; Civil Appeals Nos. 233 to 306 of 2020 (consolidated), decided 28 January 2022

Q. Is regularization a vested right?

A. No. "Regularization is not a vested right but requires a statutory basis---Where a contractual employee wishes to be regularized, he must demonstrate statutory basis for such a claim."

24. 2022 SCMR 472 — Government of Khyber Pakhtunkhwa v. Intizar Ali

Before: Gulzar Ahmed, C.J., Mazhar Alam Khan Miankhel and Sayyed Mazahar Ali Akbar Naqvi, JJ; Civil Appeals Nos. 759 of 2020, 1448 of 2016 and connected appeals, decided 28 January 2022

Q. Do temporary, contract or project employees have a right to regularization?

A. "Such employees had no vested right to claim regularization."

25. 2022 SCMR 406 — Government of Khyber Pakhtunkhwa v. Sher Aman

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Munib Akhtar, JJ; Civil Appeals Nos. 232, 244, 247, 261 and 282 of 2020, decided 18 October 2021

Q. Can the court force the employer to employ project staff?

A. No; "it was not for the court to step into the shoes of the employer and force him to employ someone for whom there was no available post."

26. 2022 SCMR 77 — Secretary, Ministry of Finance v. Tayyaba Halim Subhani

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Sayyed Mazahar Ali Akbar Naqvi, JJ; Civil Appeal No. 1546 of 2019 and Civil Petitions Nos. 2503 to 2519 and 2660 of 2019, decided 27 January 2021

Q. Does daily-wage service of teachers later regularized count?

A. The Court examined the Education Code, 2006 issued by the Directorate that managed the institutions; denying the teachers was "detrimental to the education sector."

27. 2021 SCMR 1995 — Vice-Chancellor, Bacha Khan University v. Tanveer Ahmad

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Sayyed Mazahar Ali Akbar Naqvi, JJ; Civil Appeals Nos. 670 and 671 of 2020 and connected matters, decided 6 July 2021

Q. Does passage of time give a contract employee a right to regularization?

A. No. "By mere efflux of time, an employee could not claim regularization and knock on the door of the Court for the same."

28. 2021 SCMR 1871 — Government of Khyber Pakhtunkhwa v. Abdul Manan ✓ *Mother judgment*

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Munib Akhtar, JJ; Civil Appeals Nos. 239, 274 and 283 of 2020, decided 14 July 2021

Q. Who can be regularized under the KP 2009 Act?

A. "The employee in question may be an ad hoc or a contract employee who must be appointed by the Government"; three categories cannot benefit from section 3.

29. 2021 SCMR 1546 — Ministry of Finance v. Syed Afroz Akhtar Rizvi

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Sayyed Mazahar Ali Akbar Naqvi, JJ; Civil Appeal No. 1496 of 2019, decided 12 July 2021

Q. Can contractual service make up a shortfall in qualifying service for pension?

A. No; "the period spent in contractual employment could not be added to make up for any deficiency in qualifying service."

30. 2021 SCMR 1433 — Secretary Local Government, KP v. Muhammad Tariq Khan

Before: Gulzar Ahmed, C.J., Mazhar Alam Khan Miankhel and Sayyed Mazahar Ali Akbar Naqvi, JJ; Civil Appeals Nos. 957 and 958 of 2014, decided 1 July 2021

Q. What right survives the expiry of a project?

A. "Such employees had no vested right of regularization in service."

31. 2021 SCMR 1376 — Government of Khyber Pakhtunkhwa v. Saeed-ul-Hassan

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Munib Akhtar, JJ; Civil Appeals Nos. 249, 250, 255, 257, 273, 285, 289 and 301 of 2020, decided 21 April 2021

Q. Does creation of regular posts give project employees a right?

A. No; it "did not confer, in the absence of any statutory support, an automatic right of regularization."

32. 2021 SCMR 1045 — Government of Khyber Pakhtunkhwa v. Muhammad Younas

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Munib Akhtar, JJ; Civil Appeal No. 258 of 2020, decided 22 February 2021

Q. Can a project contract employee aware of the terms claim regularization?

A. No; he "was fully aware of these terms and conditions when he applied"; the High Court's judgment was set aside.

33. 2021 SCMR 1008 — Divisional Superintendent, Pakistan Railways, Rawalpindi v. Syed Usman Ali

Before: Syed Mansoor Ali Shah and Yahya Afridi, JJ; Consolidated civil petitions of 2016 and 2019, decided 8 October 2019

Q. From when are Railways daily wagers regularized under the 2012 Policy?

A. "From the date of regularization i.e., 20-02-2012"; the Tribunal's judgment was set aside.

34. 2021 SCMR 998 — Pakistan Telecommunication Company Ltd. v. Muhammad Samiullah

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Munib Akhtar, JJ; Civil Appeal No. 616 of 2020, decided 20 April 2021

Q. Does an ad hoc or contract appointment create a right to regularization?

A. No; it "did not create any vested right of regularization in favour of the appointee."

35. 2021 SCMR 977 — Khushal Khan Khattak University v. Jabran Ali Khan

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Sayyed Mazahar Ali Akbar Naqvi, JJ; Civil Appeals Nos. 617 to 626 of 2020, decided 26 April 2021

Q. Can the High Court alter the terms of a contract of employment?

A. No; it "could not have amended or altered the terms and conditions of the contract of the employees in exercise of its constitutional jurisdiction."

36. 2021 SCMR 767 — Province of Punjab (Livestock and Dairy Development) v. Dr. Javed Iqbal

Before: Manzoor Ahmad Malik, Syed Mansoor Ali Shah and Amin-ud-Din Khan, JJ; C.Ps. Nos. 2210-L to 2239-L of 2020, decided 25 March 2021

Q. What is the date of regularization?

A. "Date of regularization of contract employees was the date of their regularization under the relevant regularization Policy."

37. 2021 SCMR 760 — Deputy Director Food, Faisalabad v. Muhammad Tauqir Shah

Before: Manzoor Ahmad Malik, Syed Mansoor Ali Shah and Amin-ud-Din Khan, JJ; C.Ps. Nos. 43-L to 58-L of 2021, decided 10 March 2021

Q. From when does regularization under the Punjab 2018 Act operate?

A. "Regularization of contract employees under the 2018 Act shall be considered from the date of their regularization."

38. 2021 SCMR 678 — University of Malakand v. Dr. Alam Zeb

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Sayyed Mazahar Ali Akbar Naqvi, JJ; Civil Appeals Nos. 902 and 903 of 2020, decided 3 February 2021

Q. Can lecturers first on contract be refused study leave after regularization?

A. No; having "put in at least three years' service", the authority "ought not to have refused the respondents their right guaranteed under the statute."

39. 2021 SCMR 630 — Government of Khyber Pakhtunkhwa v. Liaquat Ali ✓ *Mother judgment*

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Munib Akhtar, JJ; Civil Appeal No. 268 of 2020, decided 18 January 2021

Q. Do contractual disclaimers defeat a claim under the KP 2009 Act?

A. No; despite "contractual disclaimers", one within the 2009 Act who "fulfilled the pre-conditions ... could seek regularization."

40. 2021 SCMR 609 — Sui Southern Gas Company Ltd. v. Zeeshan Usmani

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Sayyed Mazahar Ali Akbar Naqvi, JJ; Civil Appeals Nos. 936 and 937 of 2020, decided 18 February 2021

Q. Can SSGC contract employees enforce regularization?

A. No; it "was not part of the terms and conditions of their service because for that purpose statutory rules were required."

41. 2021 SCMR 494 — Government of Khyber Pakhtunkhwa v. Sher Ali

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Munib Akhtar, JJ; Civil Appeals Nos. 228 and 234 of 2020, decided 25 November 2020

Q. Can the Government take a stand contrary to its own record?

A. No; its position was "neither supported by the law, nor by the record of its own actions"; reinstatement and regularization upheld.

42. 2020 SCMR 2068 — Government of Khyber Pakhtunkhwa, Workers Welfare Board v. Raheel Ali Gohar

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Mazhar Alam Khan Miankhel, JJ; Civil Appeal No. 73 of 2020, decided 16 July 2020

Q. Is there an automatic right to be regularized?

A. No; "unless the same had specifically been provided for in law."

43. 2020 SCMR 1664 — Pakistan Railways v. Sajid Hussain

Before: Gulzar Ahmed, C.J. and Ijaz ul Ahsan, J; Civil Appeals Nos. 17 to 29 of 2020, decided 7 August 2020

Q. Are long-hired TLA workers entitled to the 2012 Policy?

A. Yes; "it could not possibly be argued that such hiring was for a limited period"; the Tribunal rightly extended the Policy.

44. 2020 SCMR 1519 — Province of the Punjab (School Education) v. Mst. Nargas Parveen

Before: Manzoor Ahmad Malik and Syed Mansoor Ali Shah, JJ; Consolidated civil petitions of 2020, decided 24 July 2020

Q. From when do regularized ad hoc employees take seniority?

A. “From the date of their regularization and not from the date of their ad-hoc appointment.”

45. 2020 SCMR 1425 — Aqeel Shahzad v. Government of Khyber Pakhtunkhwa

Before: Gulzar Ahmed, C.J., Ijaz ul Ahsan and Mazhar Alam Khan Miankhel, JJ; Civil Appeals Nos. 634 of 2014 and 431 and 432 of 2020, decided 22 July 2020

Q. What follows an unlawful order against Market Committee employees?

A. It was set aside with a direction “to consider regularization of the services of the employees in accordance with law.”

46. 2020 SCMR 1041 — Owais Shams Durrani v. Vice-Chancellor, Bacha Khan University

Before: Gulzar Ahmed, C.J. and Ijaz ul Ahsan, J; Civil Petition No. 2911 of 2018, decided 29 April 2020

Q. Do contract clerks converted to fixed pay have a right to regularization?

A. No; there was “no vested right of petitioners to seek regularization.” Leave refused.

47. 2020 SCMR 507 — Province of Punjab (Agriculture) v. Muhammad Arif ✓ *Mother judgment*

Before: Gulzar Ahmed, C.J., Umar Ata Bandial and Ijaz ul Ahsan, JJ; Civil Appeals Nos. 266-L to 285-L of 2019, decided 14 February 2020

Q. Are project employees covered by the Punjab Regularization of Service Act, 2018?

A. No; “project employees employed on contractual basis were not entitled to the benefit of regularization under the Punjab Regularization of Service Act, 2018.”

48. 2019 SCMR 830 — Abu Bakar Farooq v. Muhammad Ali Rajpar ✓ *Mother judgment*

Before: Sh. Azmat Saeed, Mushir Alam and Sajjad Ali Shah, JJ; Civil Appeals Nos. 845 and 846 of 2010 and connected matters, decided 31 January 2019

Q. Can regularization bypass the Public Service Commission?

A. No; it would amount to “opening another door of entry into service of Pakistan by frustrating the only prescribed mode of appointment through the Commission.”

49. 2019 SCMR 233 — Board of Intermediate and Secondary Education, Multan v. Muhammad Sajid

Before: Gulzar Ahmed and Maqbool Baqar, JJ; Civil Petitions Nos. 2702 to 2704, 3115 to 3118 and 3879 of 2018, decided 13 December 2018

Q. Were BISE daily wage/contract workers entitled to regularization?

A. Yes; they “were rightly found eligible and entitled for regularization of their service.”

50. 2018 SCMR 1181 — State Oil Company Limited v. Bakht Siddique

Before: Mian Saqib Nisar, C.J., Faisal Arab and Sajjad Ali Shah, JJ; Civil Petitions Nos. 409-K to 414-K of 2017, decided 8 December 2017

Q. From when do outsourced employees absorbed by a State company get benefits?

A. “They would be entitled from the date when they joined service of the company.”

51. 2018 SCMR 1120 — Ikhlaq Ahmed v. Chief Secretary, Punjab

Before: Gulzar Ahmed and Qazi Faez Isa, JJ; Civil Petitions Nos. 2537 to 2549 and 2644-L of 2016, decided 23 April 2018

Q. Can the Chief Minister relax rules to regularize contract employees?

A. No; such "abject subservience to one person ... destroyed the confidence of the people in the bureaucracy."

52. 2018 SCMR 157 — Abdul Ghafoor v. The President, National Bank of Pakistan

Before: Ejaz Afzal Khan, Maqbool Baqar and Ijaz ul Ahsan, JJ; Civil Petition No. 3724 of 2015 and C.M.As., decided 8 November 2017

Q. Were long-serving contract employees of the Bank entitled to regularization?

A. Yes; "they had earned entitlement for regularization"; the Bank was directed to regularize them as permanent employees.

53. 2017 SCMR 1979 — Chairman NADRA v. Muhammad Ali Shah

Before: Ejaz Afzal Khan, Dost Muhammad Khan and Qazi Faez Isa, JJ; Civil Appeals Nos. 1132 and 1133 of 2014, decided 12 September 2017

Q. Can the Interior Minister order regularization of NADRA contract employees?

A. No; the NADRA Ordinance "did not permit either the Interior Minister or the Ministry of Interior to issue an order or notification of regularization."

54. 2017 SCMR 1201 — Government of Khyber Pakhtunkhwa v. Ihsan Ullah

Before: Mian Saqib Nisar, C.J., Umar Ata Bandial and Faisal Arab, JJ; Civil Appeals Nos. 1515 and 1516 of 2016, decided 5 May 2017

Q. From when were terminated PEDO employees to be regularized?

A. The authority "shall after verification forthwith regularize the services of the respondents in 'PEDO' with effect from the date of termination of their services."

55. 2016 SCMR 1756 — Zarai Taraqiati Bank Ltd. v. Muhammad Asim Rafique

Before: Gulzar Ahmed, Umar Ata Bandial and Maqbool Baqar, JJ; Civil Appeals Nos. 1255 and 1256 of 2012, decided 30 June 2016

Q. Can contract terms be used to block confirmation?

A. No; they cannot be "used as an obstructive instrument" given "the non-equilibrium between the bargaining position of the respondents and the Bank."

56. 2016 SCMR 1611 — Abdul Hameed v. Special Secretary Education, Government of Punjab

Before: Mian Saqib Nisar and Iqbal Hameedur Rahman, JJ; Civil Appeals Nos. 398-L to 405-L of 2010 and connected matters, decided 9 March 2016

Q. Are untrained teachers entitled to increments for service before regularization?

A. Yes; "teachers were entitled to receive full annual increments for the whole period prior to their regularization."

57. 2016 SCMR 1602 — Qayyum Khan v. Divisional Forest Officer, Mardan

Before: Mian Saqib Nisar, Amir Hani Muslim and Iqbal Hameedur Rahman, JJ; Civil Appeal No. 1428 of 2015, decided 25 February 2016

Q. Does the period between termination and reinstatement count?

A. Yes; it "shall be counted towards his pensionary benefits."

58. 2016 SCMR 1443 — Rizwan Javed v. Secretary Agriculture Livestock

Before: Anwar Zaheer Jamali, C.J., Mian Saqib Nisar, Amir Hani Muslim, Iqbal Hameedur Rahman and Khilji Arif Hussain, JJ; Civil Appeal No. 605 of 2015, decided 24 February 2016

Q. Does a project employee's intervening period count for pension?

A. Yes; it “shall be computed towards their pensionary benefits.”

59. 2016 SCMR 1375 — Government of Khyber Pakhtunkhwa v. Adnanullah ✓ *Mother judgment*

Before: Anwar Zaheer Jamali, C.J., Mian Saqib Nisar, Amir Hani Muslim, Iqbal Hameedur Rahman and Khilji Arif Hussain, JJ; Civil Appeal No. 135-P of 2013 and connected appeals, decided 24 February 2016

Q. Can the Government regularize some projects' employees and terminate others?

A. No. It “could not adopt a policy of cherry picking to regularize the employees of certain projects while terminating the services of other similarly placed employees.”

60. 2016 SCMR 183 — Civil Aviation Authority v. Mir Zulfiqar Ali

Before: Amir Hani Muslim, Mushir Alam and Maqbool Baqar, JJ; Civil Appeal No. 11-K of 2013, decided 24 July 2015

Q. Can regularization be sought after ten years?

A. No; the petition “suffered from laches and ought to have been dismissed.”

61. 2016 SCMR 46 — Ameer Solangi v. WAPDA

Before: Amir Hani Muslim, Mushir Alam and Maqbool Baqar, JJ; Civil Appeal No. 52-K of 2012, decided 5 August 2015

Q. Does the Sacked Employees (Reinstatement) Act, 2010 help contract employees?

A. No; it “was not applicable to the contract employees in the present case.”

62. 2015 SCMR 1257 — Pir Imran Sajid v. Managing Director, Telephone Industries of Pakistan

Before: Mian Saqib Nisar, Mushir Alam and Maqbool Baqar, JJ; Civil Appeals Nos. 1359 to 1363 of 2014, decided 18 May 2015

Q. What is the duty of authorities toward long-serving employees?

A. “Efforts should be made to ensure that no one was prevented from earning his livelihood because of unfair and discriminatory act.” Appeal allowed.

63. 2014 SCMR 1289 — Muhammad Aslam Awan v. Federation of Pakistan

Before: Tassaduq Hussain Jillani, C.J., Nasir-ul-Mulk, Anwar Zaheer Jamali, Asif Saeed Khan Khosa and Ejaz Afzal Khan, JJ; Constitutional Petition No. 9 of 2014, decided 6 May 2014

Q. From when is seniority reckoned?

A. “From the date of initial appointment and not from the date of confirmation or regularization.”

64. 2014 SCMR 652 — Secretary, Sindhi Adbi Board v. Mirza Dabeer Hussain Baig

Before: Anwar Zaheer Jamali, Khilji Arif Hussain and Gulzar Ahmed, JJ; Civil Appeal No. 47-K of 2013, decided 16 December 2013

Q. Can the Chairman alone regularize a Board employee?

A. No; the order “was without lawful authority and of no legal effect.”

65. 2013 SCMR 890 — Government of KPK v. Bilal Ahmad Kakaizai

Before: Nasir-ul-Mulk, Amir Hani Muslim and Muhammad Athar Saeed, JJ; Civil Appeals Nos. 87-P to 92-P of 2011 and C.Ps. Nos. 313 and 314-P of 2011, decided 14 March 2013

Q. Were the respondents entitled under the KP 2009 Act?

A. No; the High Court's judgment "was contrary to the law and was set aside."

66. 2013 SCMR 392 — Chief Secretary, Government of Punjab v. Ch. Iftikhar Ahmad

Before: Nasir-ul-Mulk, Tariq Parvez and Amir Hani Muslim, JJ; Civil Petition No. 1292-L of 2012, decided 10 October 2012

Q. Do benefits of an ad hoc appointee abate on death before regularization?

A. No; "peculiar benefits to which legal heirs of a civil servant were entitled did not abate upon death."

67. 2013 SCMR 304 — Muzaffar Khan v. Government of Pakistan

Before: Nasir-ul-Mulk, Tariq Parvez and Amir Hani Muslim, JJ; S.M.C. No. 15 of 2010 and connected matters, decided 21 November 2012

Q. Did devolution change the status of Zakat and Ushr contract staff?

A. No; their "status ... remained unchanged even after devolution."

68. 2011 SCMR 1004 — Government of N.-W.F.P. v. Kaleem Shah ✓ *Mother judgment*

Before: Mehmood Akhtar Shahid Siddiqui, Tariq Parvez and Mian Saqib Nisar, JJ; Civil Appeals Nos. 150-P and 151-P of 2009 and Civil Petition No. 654-P of 2009, decided 24 March 2011

Q. Are contract employees on project works within section 19(2) of the NWFP Civil Servants Act?

A. Yes; such cases "though appointed on project works would fell within ambit of S. 19(2)."

69. 2011 SCMR 898 — Government of N.-W.F.P. (Agriculture) v. Abdullah Khan

Before: Javed Iqbal, Raja Fayyaz Ahmed and Asif Saeed Khan Khosa, JJ; Civil Appeals Nos. 834 to 837 of 2010, decided 1 March 2011

Q. Do salary slips prove entitlement under the 2009 Act?

A. No; they "could not be accepted as proper substitute for positive and definite proof of the nature of the appointment."

70. PLD 2011 SC 22 — Ejaz Akbar Kasi v. Ministry of Information and Broadcasting

Before: Iftikhar Muhammad Chaudhry, C.J., Tariq Parvez Khan and Ghulam Rabbani, JJ; Constitutional Petitions Nos. 42, 48, 50 and 62 of 2009, decided 4 November 2010

Q. What relief was given to the petitioners?

A. Their cases "were sent to the organization for considering their cases for purpose of regularization or otherwise."

71. PLD 2011 SC 132 — Pakistan Telecommunication Co. Ltd. v. Iqbal Nasir

Before: Iftikhar Muhammad Chaudhry, C.J., Tariq Parvez Khan and Ghulam Rabbani, JJ; Civil Appeals Nos. 468, 471-474 and connected appeals of 2010, decided 23 December 2010

Q. What governs PTCL contract employees?

A. The rule of master and servant; the High Court's judgment in their favour was set aside.

72. 2004 SCMR 630 — WAPDA v. Abbas Ali Malano

Before: Nazim Hussain Siddiqui, Abdul Hameed Dogar and Sardar Muhammad Raza Khan, JJ; Civil Petitions Nos. 1452, 1453 and 1454 of 2002, decided 2 April 2003

Q. Does eleven years' service create a right to confirmation?

A. Yes; “vested right of being confirmed had accrued to them.”

73. 2003 SCMR 1269 — Nazar Hussain v. Deputy District Education Officer

Before: Javed Iqbal and Karamat Nazir Bhandari, JJ; Civil Petitions Nos. 3537 and 3764-L of 2001, decided 25 April 2003

Q. Can an ad hoc appointment become regular by lapse of time?

A. No; “mere by afflux of time no ad hoc/temporary appointment could be converted to regular appointment till the prescribed procedure was followed.”

74. 2002 SCMR 836 — Province of the Punjab v. Punjab Labour Appellate Tribunal

Before: Nazim Hussain Siddiqui and Javed Iqbal, JJ; Civil Appeals Nos. 1569 to 1579 of 1999, decided 25 October 2001

Q. Are work-charged employees civil servants?

A. No; they “were not covered by definition of civil servant as given in S.2(1)(b) of Civil Servants Act, 1973.”

Peshawar High Court (26)

75. 2026 PLC(CS) 1178 — Fawad Shafqat v. Government of Khyber Pakhtunkhwa

Before: Syed Arshad Ali and Dr. Khurshid Iqbal, JJ; W.P. No. 1022-P of 2023, decided 10 October 2025

Q. Can the High Court direct regularization of tourism project employees?

A. No; the “High Court could not direct the respondents/Government for the regularization of the petitioners.”

76. 2025 PLC(CS) 87 — Nadeem Ahmed v. Government of Khyber Pakhtunkhwa

Before: Ijaz Anwar and Sahibzada Asadullah, JJ; Writ Petition No. 4397-P of 2024, decided 10 September 2024

Q. Can a Culture and Tourism Authority contract be extended beyond three years?

A. No; “there was no option for the competent authority to allow extension beyond three years.”

77. 2024 PLC(CS) 1160 — Khan Zeb v. Government of Khyber Pakhtunkhwa

Before: Muhammad Naeem Anwar and Dr. Khurshid Iqbal, JJ; Writ Petition No. 912-M of 2017, decided 19 October 2022

Q. Are Article 371-A CSR and Rule 2.3 of the Pension Rules different?

A. They are “analogous to each other” for temporary service of more than five years. Petition dismissed.

78. 2023 PLC(CS) 1561 — Muhammad Aslam v. Government of Khyber Pakhtunkhwa

Before: Muhammad Faheem Wali and Shahid Khan, JJ; Writ Petition No. 248-D of 2019, decided 30 January 2023

Q. Can repeated claims for regularization be re-agitated?

A. No; his claims “were a recap of the earlier filed constitutional petitions.” Petition dismissed.

79. 2023 PLC(CS) 1383 — Muhammad Saeed v. Government of Khyber Pakhtunkhwa

Before: Muhammad Naeem Anwar and Dr. Khurshid Iqbal, JJ; Writ Petition No. 289-M of 2021, decided 4 April 2023

Q. Is contractual or fixed-pay service added to regular service for pension?

A. No; it "could not be added to her regular service for pensionary benefits."

80. 2023 PLC(CS) 475 — Qaim Ali Shah v. Government of Khyber Pakhtunkhwa

Before: Muhammad Naeem Anwar and Muhammad Ijaz Khan, JJ; Writ Petition No. 1083-M of 2020, decided 21 June 2022

Q. Does a contract employee have a right to renewal or extension?

A. No right lies "for renewal of contract or for the extension of contract period of his employment."

81. 2023 PLC(CS) 358 — Israr Ali v. Government of Khyber Pakhtunkhwa

Before: Muhammad Naeem Anwar and Muhammad Ijaz Khan, JJ; Writ Petition No. 598-M of 2020, decided 13 April 2022

Q. Can contract, ad hoc or fixed-pay employees claim regularization?

A. Not "unless and until the same is backed by any law/statute."

82. 2023 MLD 2003 — Amjad Ali v. Secretary Public Health Engineering, Khyber Pakhtunkhwa

Before: Muhammad Naeem Anwar and Dr. Khurshid Iqbal, JJ; Review Petition No. 9-M of 2022 in W.P. No. 1284 of 2020 and connected, decided 8 February 2023

Q. Can a regularization order be maintained once the precedent it relied on is set aside by the Supreme Court?

A. No; "the very foundation on which the matter-in-hand was allowed no longer existed." Review dismissed.

83. 2022 PLC(CS) 1540 — Raza Ali Khattak v. Vice-Chancellor, Abdul Wali Khan University

Before: Qaiser Rashid Khan, CJ and Muhammad Naeem Anwar, J; Writ Petition No. 746 of 2019, decided 24 February 2021

Q. Is retention of contract employees discretionary?

A. Yes; "the master was well within his rights to retain or dispense with the service ... on the basis of satisfactory or otherwise performance."

84. 2022 PLC(CS) 1275 — Mst. Nadia v. Government of Khyber Pakhtunkhwa ✓ *Mother judgment*

Before: Ishtiaq Ibrahim and Wiqar Ahmad, JJ; Writ Petitions Nos. 1110-M and 1172-M of 2018, decided 10 March 2021

Q. What does a claim to regularization really seek?

A. Appointment: an employee seeking regularization "in fact seeks his appointment thereto---Law is required under Art.240 of the Constitution."

85. 2022 PLC(CS) 1028 — Altaf v. The Chancellor, Peshawar University

Before: Rooh ul Amin Khan and Muhammad Nasir Mehfooz, JJ; Writ Petition No. 1598-P of 2018, decided 3 February 2021

Q. Can contract and fixed-salary employees claim regularization?

A. No; they "had no right to claim regularization."

86. 2022 PLC(CS) 255 — Tariq Hussain Shah v. NADRA

Before: Ikramullah Khan and Ijaz Anwar, JJ; Writ Petition No. 4132-P of 2018, decided 3 September 2020

Q. How is service counted after regularization in NADRA?

A. Counting from his hiring as contract employee "was in accordance with terms of regularization." Petition dismissed.

87. 2021 PLC(CS) 1295 — Muhammad Abid v. Gomal University

Before: Abdul Shakoor and Sahibzada Asadullah, JJ; Writ Petition No. 639-D of 2020 and connected petitions, decided 25 March 2021

Q. Is a writ maintainable for regularization of fixed-pay employees?

A. No; they "had no right whatsoever to claim regularization or continuation of service by filing constitutional petition."

88. 2021 PLC(CS) 1237 — Imtiaz Khan v. Ministry of Defence

Before: Ikramullah Khan and Ahmad Ali, JJ; Writ Petition No. 607-P of 2019, decided 16 October 2019

Q. Does daily-wage service count for pension after regularization?

A. Yes; authorities were directed "to include daily wages employment of petitioner as his substantive service ... for the purpose of pension."

89. 2021 PLC(CS) 855 — Malik Muhammad Naveed v. Government of Khyber Pakhtunkhwa

Before: Abdul Shakoor and Sahibzada Asadullah, JJ; Writ Petition No. 391-D of 2020, decided 10 December 2020

Q. From when are Special Police Officers regularized under the 2019 Act?

A. "Right from the date of issuance of Notification dated 08-04-2020."

90. 2021 PLC(CS) 390 — Liaqat Ali v. Government of Khyber Pakhtunkhwa

Before: Waqar Ahmad Seth, CJ and Ahmad Ali, J; Writ Petition No. 2770-P of 2019, decided 23 January 2020

Q. What follows discrimination in regularization?

A. The department was "directed to consider the case of the petitioner in accordance with the guidelines laid down" earlier.

91. 2021 PLC(CS) 57 — Rafia Bibi v. Director General (Health), Khyber Pakhtunkhwa

Before: Lal Jan Khattak and Ahmad Ali, JJ; Writ Petition No. 2356-P of 2017, decided 7 November 2019

Q. Can an LHV with nine years' service be terminated without notice?

A. No; authorities were "directed to appoint the petitioner as Lady Health Visitor on regular basis."

92. 2021 PLC(CS)N 30 — Sikandar Hayat v. Chief Secretary, Khyber Pakhtunkhwa

Before: Shakeel Ahmad and Ahmad Ali, JJ; Writ Petition No. 775-A of 2019, decided 4 March 2020

Q. What benefits follow regularization of ERRA contract employees?

A. Regularization "with notional increase in their pay from the date of their first appointment", but no arrears.

93. 2021 PLC(CS)N 6 — Sanaullah v. Government of Khyber Pakhtunkhwa

Before: Ikramullah Khan and Ahmad Ali, JJ; Writ Petition No. 86 of 2018 with C.O.C. No. 24-M of 2018, decided 17 October 2019

Q. What if contract employees are terminated without show cause or hearing?

A. The petitions were allowed "and services of the petitioners were ordered to be regularized."

94. 2021 PLC(CS)N 2 — Hina Khan v. The Registrar, University of Swat

Before: Syed Arshad Ali and Wiqar Ahmad, JJ; Writ Petitions Nos. 394-M of 2019 and connected petitions, decided 18 November 2019

Q. Does prior contract service exempt an employee from the University's notified terms?

A. No; the notification applied “to all the appointments in the University despite the fact that employee might be serving on contract basis earlier.”

95. 2020 PLC(CS) 1529 — Gul Rehman v. The National Bank of Pakistan

Before: Shakeel Ahmad and Ahmad Ali, JJ; W.P. No. 336-A of 2013, decided 4 March 2020

Q. What benefits do regularized NBP contract employees get?

A. They “would be entitled for pensionary benefits if any from the date of their initial appointments.”

96. 2020 PLC(CS) 581 — Syed Muhammad Fawad Bukhari v. BISE Abbottabad

Before: Lal Jan Khattak and Syed Muhammad Attique Shah, JJ; Writ Petitions Nos. 563-A and 757-A of 2014, decided 10 October 2018

Q. Must contingent-paid staff get equal treatment?

A. Yes; authorities were directed “to regularize the services of petitioners in accordance with law from the date of their initial appointment.”

97. 2019 PLC(CS) 842 — Ghani-ur-Rehman v. Khushhal Khan Khattak University, Karak

Before: Muhammad Nasir Mahfooz and Shakeel Ahmad, JJ; W.P. No. 703-B of 2018, decided 11 December 2018

Q. Can a contract lecturer's past service be ignored for not taking the ETEA test?

A. No; it “could not be dispensed with on this score alone”; regularization directed.

98. 2019 PLC(CS)N 7 — Sohail Ahmed v. National Bank of Pakistan

Before: Syed Arshad Ali and Syed Afsar Shah, JJ; W.P. No. 428-A of 2014, decided 7 August 2017

Q. Must janitorial staff essential to the Bank be regularized?

A. Yes; the Bank “was directed ... to regularize the services of petitioners against the posts they were still working.”

99. 2018 PLC(CS) 387 — Zahid Saeed v. DG Technical Education and Manpower Training, KP

Before: Musarat Hilali and Mohammad Ibrahim Khan, JJ; W.P. No. 213-M of 2016, decided 6 June 2017

Q. Do repeated extensions of contract justify regularization?

A. No; the prayer “on the sole score that contractual period had been extended from time to time could not be accepted.”

100. 2018 PLC(CS)N 17 — Shah Zaman Khan v. Government of Khyber Pakhtunkhwa

Before: Waqar Ahmad Seth and Rooh-ul-Amin Khan, JJ; W.P. No. 1212-P of 2016, decided 24 January 2017

Q. What follows termination contrary to locus poenitentiae?

A. “Employees should be deemed to be in regular service from the date of their initial induction with all back benefits including wages.”