

**In the Federal Constitutional Court of Pakistan**  
(Appellate Jurisdiction)

**Present:**

Justice Aamer Farooq  
Justice Syed Arshad Hussain Shah

**C.P.L.A. No.83-Q of 2024**

(On appeal from order of the High Court of Balochistan,  
Quetta dated 26.3.2024 passed in C.P. No.1819 of 2021)

Sher Alam

Petitioner

**Versus**

Government of Balochistan & others

Respondents

Petitioner: In person

Respondents: N.R.

Date of hearing: 27.2.2026

**Judgment**

**Syed Arshad Hussain Shah, J:** Heard the petitioner in person and perused the record, which reveals that respondent No.4 was appointed in the Municipal Committee, Loralai as Sanitary Worker in the year 1993, his cadre was changed from Sanitary Worker to Valve Man vide order dated 6.1.2000 and was promoted to the post of Pipe Fitter on 28.8.2017. The petitioner, who was appointed as Valve Man in the year 2008, filed an application before the Ombudsman against the order dated 28.8.2017, which was later on withdrawn and a grievance petition was filed before the 5<sup>th</sup> Labour Court Balochistan on 27.9.2018. Upon dismissal of his grievance petition, the petitioner filed appeal before the Labour Appellate Tribunal, Quetta, which was too withdrawn in order to file fresh grievance petition.

2. In the second round of litigation, the petitioner questioned the validity of the order dated 6.1.2000, whereby cadre of respondent No.4 was changed as well as his promotion order dated 28.8.2017 before the 5<sup>th</sup> Labour Court at Loralai through Labour Case No.03/019, which was dismissed under Order VII Rule 11 CPC being barred by time vide order dated 17.3.2021. Appeal before the Labour Appellate Tribunal also failed. Operative part from the judgment of the Tribunal dated 21.9.2021 is reproduced below:-

“The claim of appellant that the Order dated 6.1.2000 regarding change of cadre of respondent No.4 as illegal cannot be discussed at this stage since the appeal is badly hit by the provisions of limitation and there is also no evidence showing that the Order dated 6.1.2000 is bogus or made recently by respondent No.4. Since the appeal is barred by time, therefore, there is no need to go into the merits of the case and the Trial Court rightly dismissed the application of the appellant under Order 7 Rule 11 CPC as same Order dated 6.1.2000 is challenged which has already been dismissed by the Trial Court, therefore, by upholding the Order dated 17.3.2021 passed by the Trial Court, appeal filed by the appellant being devoid of merits is hereby dismissed.”.

3. Learned Division Bench of the High Court has thoroughly examined the claim of the petitioner and dismissed his petition for valid and cogent reason. For the sake of ease, relevant paragraph from the judgment of the High Court is reproduced below:-

“10. Admittedly, during trial before the respondent No.5, the petitioner has failed to bring on record any such evidence to prove that the order dated 06.01.2000 was issued with fake signatures and forgery. Be that as it may, the record also shows that vide order No.44/Estt: Dated 06.01.2000, the cadre of respondent No.4 has been changed from the post of Sanitary Worker to the Post of Valve Man, whereas, the petitioner had filed by [the] petition before the respondent No.5 on 12.10.2018. It is

also apparent on the fact [face] of the record that no application for condonation of delay had been filed with the petition, as the petition had been filed with delay of 18 years, whereas, Section 41 (1) of the Balochistan Industrial Relations Act, 2010, provides only three months for filing of grievance petition, thus, the case of petitioner was hit by the principle of laches and the forums below have rightly dismissed the petition and appeal of petitioner. Furthermore, learned counsel for the petitioner has failed to show any illegality or irregularity in the impugned orders of the forums below, warranting interference by this Court.”.

4. There being concurrent findings of all the *fora* below in two rounds of litigation, we see no reason for interference. In this view of the matter, this petition is dismissed and leave is refused.

Judge

Judge

**Islamabad**

27<sup>th</sup> February, 2026

Approved for reporting.

Riaz