

SUPREME COURT OF AZAD JAMMU AND KASHMIR

[Appellate Jurisdiction]

PRESENT:

Ch. Muhammad Ibrahim Zia, C.J.
Raja Saeed Akram Khan, J.

Civil Appeal No.185 of 2018
(PLA filed on 14.09.2018)

Iram Zahid d/o Zahid Hussain r/o Barnala, Tehsil
and District Bhimber.

.....APPELLANT

VERSUS

1. AJK Government through its Chief Secretary having its office at New Secretariat, Muzaffarabad.
2. DPI Schools (Female), Azad Jammu and Kashmir, Muzaffarabad.
3. Secretary Education Elementary and Secondary Schools, Muzaffarabad.
4. Divisional Director Elementary and Secondary Education, Mirpur.
5. Principal Government Higher Secondary Schools, Bhimber.
6. DEO Elementary and Secondary Education, Bhimber.
7. Jameela Kousar, Senior Teacher Government Girls Elementary College Thaathee newly posted Girls Higher Secondary School Sakasan, Bhimber.

.....RESPONDENTS

[On appeal from the judgment of the of the High
Court dated 23.07.2018 in writ petition
No.3422/2016]

FOR THE APPELLANT: Sheikh Masood Iqbal,
Advocate.

FOR THE RESPONDENTS: Raja Saadat Ali Kiani,
Addl. Advocate-General

Date of hearing: 27.02.2020

JUDGMENT:

Ch. Muhammad Ibrahim Zia, C.J.– The appellant, herein, filed a writ petition before the High Court claiming her appointment on the basis of Death Assistance Package against the post fell vacant due to death of her mother. After necessary proceedings, the learned High Court dismissed the writ petition through the impugned judgment dated 23.07.2018, hence, this appeal by leave of the Court.

2. The learned counsel for the appellant attempted to argue the case, however, he is unable to point out any illegality in the impugned

judgment. In the writ petition the appellant has prayed for her appointment in grade B-16, whereas the Death Assistance Package is only for appointment in BPS-1 to 15, however, we direct the departmental authority to consider the appellant's case, if possible, for appointment in grade BPS-1 to 15, according to Death Assistance Package, on sympathetic ground.

This appeal is disposed of in the above terms with no order as to costs.

CHIEF JUSTICE

JUDGE

Mirpur,
27.02.2020