REGISTERED

GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

ORDER

No. SO(Estt.)29-200/2012: WHEREAS, Mr. Ghulam Mujtaba, Junior Instructor Computer (BS-14), r/o House No. 43, Street No. 18, Sadiqabad, Rawalpindi **("petitioner")**, filed Writ Petition No. **58842 of 2026** before the Hon'ble Lahore High Court, Lahore, praying, *inter alia*, that the respondents be directed to accept his joining report, permit him to assume charge and release his salary and other admissible service benefits, in view of the order dated 14.05.2026 passed by the Establishment Secretary, Government of Pakistan.

2. **AND WHEREAS,** the Hon'ble Lahore High Court, Lahore vide order dated **02.10.2026**, disposed of the petition with a direction to the Secretary, Special Education Department (Respondent No. 2), either himself or through a duly authorized delegate, to decide the pending representation of the petitioner by passing a speaking order, strictly in accordance with law, after affording an opportunity of hearing to the petitioner and all others concerned.

3. **AND WHEREAS,** in compliance, the petitioner was issued notice dated 15.10.2026 to appear in person, along with all relevant record, on 27.10.2026 at 10:00 a.m. before the undersigned. The petitioner appeared on 27.10.2026 and was heard in detail. During the hearing, the petitioner reiterated the stance taken in his representation and Writ Petition. He lastly requested that he may be allowed to join the Special Education Department and be posted, so that his remaining grievance, namely the payment of salaries, may be resolved.

4. **AND WHEREAS,** the Director (Admn), DGSE, attended the hearing and apprised that, pursuant to the speaking order of the Establishment Division, Government of Pakistan dated 14.05.2026, the petitioner's joining report dated 21.05.2026 was accepted in the Department; that his case was referred to DGSE on 15.07.2026; and that, after due consideration of the entire facts, DGSE, as the competent authority, had posted the petitioner against a vacant substantive post of Junior Computer Instructor (BS-14) at Govt. National Special Education Centre, Johar Town, Lahore, vide order dated 22.10.2026. He submitted that the petitioner's grievance stood redressed, that matters relating to salary would be dealt with in accordance with law, rules and policy upon his assumption of charge at the place of posting, and that the representation therefore merited disposal.

5. **AND WHEREAS,** the record reflects that the petitioner was appointed by the Directorate General of Special Education (DGSE), Islamabad, as Junior Instructor Computer (BS-14) on contract basis for two years w.e.f. 28.05.2007 at the Special Education Centre for Physically Handicapped Children, D.G. Khan, and was transferred to the Special Education Centre for Visually Handicapped Children, Lahore, vide office order dated 05.11.2008. His services were regularized on temporary basis w.e.f. 01.07.2010 vide DGSE office order dated 25.06.2010. Consequent upon the Constitution (Eighteenth Amendment) Act, 2010, the Ministry of Social Welfare and Special Education ceased to exist and, vide Notification dated 01.04.2011, the National Special Education Complex (MRC, PHC, VHC, HIC), Lahore, along with other centres, was transferred to the Special Education Department, Government of the Punjab. The

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petitioner's services were transferred to the Government of the Punjab on deputation under Section 10 of the Civil Servants Act, 1973, vide office order dated 02.04.2011, and his personal record was handed over to the Directorate of Special Education, Punjab, in 2011.

6. **AND WHEREAS,** on 13.09.2012, on the petitioner's own request, he was repatriated to the Capital Administration and Development Division (CA&DD), Islamabad, and was thereafter posted against a vacant post, purely on temporary basis, in the Development Project "Computerization of National Braille Press, Islamabad" (office order dated 31.10.2012). Upon disbandment of the project, he was repatriated to the Government of the Punjab vide DGSE (CA&DD) order dated 20.06.2014; however, that order was cancelled on 27.06.2014 and he was adjusted against a vacant post of Steno-typist (BS-14) in the National Council for Rehabilitation of Disabled Persons (NCRDP), on temporary basis.

7. **AND WHEREAS,** following clarification by the Management Services Wing, Establishment Division (O.M. dated 03.08.2022) that devolved employees became civil servants of the respective provinces, the Ministry of Human Rights repatriated the petitioner to the Government of the Punjab vide office order dated 04.07.2023, directing him to report to the Section Officer (Estt.), Special Education Department. The petitioner did not submit a joining report. This Department, vide letter dated 01.08.2023, conveyed the position to DGSE, Punjab. The petitioner's complaint before the Wafaqi Mohtasib was closed on 26.10.2023 (review dismissed on 24.11.2023) on the ground that the proper forum was a court of law. His appeal No. 1147(R)/CS/2023 before the Federal Service Tribunal was returned on 20.03.2024 for want of territorial jurisdiction, the Tribunal holding that the petitioner had attained the status of a civil servant of the Government of the Punjab. The petitioner's CPLA No. 2440/2024 was converted into Civil Appeal No. 121 of 2026 by the Hon'ble Supreme Court of Pakistan vide order dated 19.02.2026, and the matter was remitted to the Secretary Establishment, Government of Pakistan, to decide the petitioner's fate, arrangement of his posting and release of his unpaid salaries within 45 days.

8. **AND WHEREAS,** after personal hearings on 01.04.2026 and 15.04.2026 (the latter attended by the Additional Secretary and a Law Officer of this Department), the Establishment Secretary passed a Speaking Order dated 14.05.2026, the operative part of which reads:

> *"In view of the foregoing, Mr. Ghulam Mujtaba, JIC (BPS-14) is directed to report to his parent department i.e. Government of Punjab's Special Education Department, Lahore without any further delay. The Government of Punjab may accept the joining of the petitioner with effect from the date he joins and decide the intervening period from 04.07.2023 till assumption of charge under the relevant leave rules as deemed appropriate by the competent authority in the Government of the Punjab."*

In compliance, the petitioner submitted his joining report to this Department on 21.05.2026 (forenoon). The matter was processed and, since the competent authority for non-gazetted devolved employees is the Director General Special Education, Punjab, the case was referred to DGSE vide letter dated 15.07.2026, with the request that the intervening period (04.07.2023 to 21.05.2026) be adjusted/regulated in accordance with the relevant rules. The DGSE, being the competent authority for the post of Junior Computer Instructor (BS-14), vide order No. 1719(G.M)A.I/3643 dated

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22.10.2026, posted the petitioner, then at the disposal of this Department, against a vacant post of Junior Computer Instructor (BS-14) at Govt. National Special Education Centre, Johar Town, Lahore, with immediate effect.

9. **AND WHEREAS,** having considered the record, the speaking order dated 14.05.2026, the orders of the Hon'ble Supreme Court of Pakistan and the Hon'ble Lahore High Court, and the submissions made at the hearing, it is observed that the status of the petitioner as a devolved employee, now a civil servant of the Government of the Punjab, stands determined by the Establishment Division, the Federal Service Tribunal and the Hon'ble Supreme Court's remand, and is not in dispute before this forum. The Establishment Secretary, vide speaking order dated 14.05.2026, directed the petitioner to report to this Department without delay, and left it to the Government of the Punjab to accept his joining with effect from the date he joins and to decide the intervening period from 04.07.2023 under the relevant leave rules. The petitioner tendered his joining report on **21.05.2026**, and his case was thereupon referred to the Director General Special Education, Punjab, the competent authority, vide letter dated **15.07.2026**, for orders. The DGSE, as competent authority, has since posted the petitioner against a vacant post of Junior Computer Instructor (BS-14) at Govt. National Special Education Centre, Johar Town, Lahore, vide order dated **22.10.2026**. The petitioner's principal prayers in the Writ Petition, namely acceptance of his joining report and permission to assume charge and discharge duties against a post, have thus been met, and his representation has become infructuous, having borne fruit. The remaining grievances, namely adjustment/regulation of the intervening period from 04.07.2023 till assumption of charge and the consequential salary and service benefits, fall within the domain of the competent authority and the relevant leave and financial rules. They are to be dealt with by the competent authority in accordance with law, and do not require adjudication by this forum.

10. **NOW THEREFORE,** in view of the foregoing, and for the reasons stated above, the representation of Mr. Ghulam Mujtaba, Junior Instructor Computer (BS-14), is **disposed of** as having become infructuous on the ground that the petitioner has already tendered his joining in the Special Education Department on 21.05.2026, and his case was referred to the Director General Special Education, Punjab, for orders. The DGSE has issued the posting order dated 22.10.2026. The grievance of the petitioner regarding joining and posting stands redressed. This order is passed in compliance with the directions of the Hon'ble Lahore High Court, Lahore, contained in order dated 02.10.2026, passed in Writ Petition No. 58842 of 2026.

(SHOAIB IQBAL SYED)
SECRETARY
GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT/
RESPONDENT NO. 2

Dated Lahore, the
November 06th/2026

No. & Date Even:
A copy is forwarded for information and necessary action to the:-

1. Deputy Registrar (Judicial), Lahore High Court, Lahore (in compliance of order dated 02.10.2026 in W.P. No. 58842/2026).
2. Director General, Special Education, Punjab, Lahore.
3. **Ms. Tahseen Irum Khan,** Deputy Director-8, MS Wing, Establishment Division, Government of Pakistan with reference to its letter No. 18(4)/2020-MSW-V-0002 dated 23.10.2026.
4. Director (Admn), Directorate General of Special Education, Punjab, Lahore.

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5. Principal, Govt. National Special Education Centre, Johar Town, Lahore.
6. Mr. Ghulam Mujtaba, Junior Instructor Computer (BS-14), r/o House No. 43, Street No. 18, Sadiqabad, Rawalpindi.
7. PS to Secretary Special Education Department.

LAW OFFICER
SPECIAL EDUCATION DEPARTMENT

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