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**IN THE SUPREME COURT OF PAKISTAN**  
**(APPELLATE JURISDICTION)**

**PRESENT:**

MR. JUSTICE GULZAR AHMED, HCJ  
MR. JUSTICE IJAZ UL AHSAN  
MR. JUSTICE SAYYED MAZAHAR ALI AKBAR NAQVI

**CIVIL PETITION NO. 1346 OF 2019.**

*(Against the judgment dated 12.02.2019 passed by the Islamabad High Court, Islamabad in writ petition No. 2305/2018).*

Secretary Aviation Division and others

...Petitioner(s)

**Versus**

Shahzad Ahmed Tabassum and others.

...Respondent(s)

For the Petitioner:

Mr. Sajid Ilyas Bhatti, Addl;  
Attorney General.  
Mr. Abdul Basit, Admin Officer  
(PMD)

For the Respondent(s):

Mr. Junaid Akhtar ASC.

Date of Hearing.

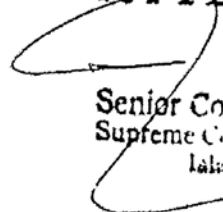
02.06.2020.

**ORDER**

**GULZAR AHMED, CJ.-** Learned Additional

Attorney General contends that the petitioner department is providing sensitive services to the civil, military, aviation, navy and other important sectors like atomic energy, agricultural and early warning for natural disasters qua meteorological service to all flight operation of the country for the complete air route safety and also provide service to marine and military operation during peace as well as war time. He contends that the petitioner department could not afford to have an association of its employees in the manner in which the respondent have formed their association like a

**ATTESTED**

  
Senior Court Associate  
Supreme Court of Pakistan  
Islamabad

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trade union indulging in trade union activities by calling the strike etc., moreso when Pakistan Essential Service (Maintenance) Act, 1952 being applicable to the employment in the petitioner department.

2. The submissions made by the learned Additional Attorney General need consideration. Leave to appeal is therefore granted to consider *inter alia* the same. Appeal stage paper books be prepared on the available record. However, the parties are at liberty to file additional documents, if any within a period of one month. As the matter relates to service, the Office is directed to fix the same for hearing in Court expeditiously, preferably after three months.

3 In the meantime, operation of the impugned judgment dated 06.02.2019 shall remain suspended.

Sd/-HCJ  
Sd/-J  
Sd/-J



ISLAMABAD  
02.06.2020  
Athar  
'Not Approved For Reporting'

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Islamabad

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