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Lahore High Court, Lahore

Judgment Sheet

IN THE LAHORE HIGH COURT LAHORE
JUDICIAL DEPARTMENT

Writ Petition No.31970 of 2026

Lubna Shabbir
Versus
Government of Punjab & others

JUDGMENT

Date of hearing: 08.10.2026

Petitioner by: Mr. Allah Nawaz Khosa, Advocate.

Respondents by: Mr. Muhammad Azam Chughtai, Assistant Advocate-General, Punjab alongwith Rabia Aslam, DEO(W) Sargodha and Samreen Akhlaq, Deputy DEO (W), Shahpur.

SHIREEN IMRAN, J: - By filing this petition, the petitioner has called in question order, dated 11.05.2026, passed by the Chief Executive Officer, District Education Authority, Sargodha (respondent No.2) whereby the representation filed by her for regularization of service was declined. In addition thereto, the petitioner seeks treatment at par with her colleagues whose services were regularized through Notification, dated 24.03.2025.

2. Briefly, the petitioner was appointed as Senior Elementary School Educator (English) BS-15 pursuant to

Appointment Letter, dated 22.09.2021. The grievance of the petitioner is that services of similarly placed educators, appointed through the same recruitment process, have been regularized whereas the petitioner has been denied such relief on the ground of non-completion of induction training.

3. Learned counsel for the petitioner submits that Regularization Order, dated 24.03.2025, specifically includes the colleagues of the petitioner mentioned at serial Nos. 2, 3, 4, 5 and 7 despite the fact that they had not undergone the said training after induction. It is argued that arranging such training was the responsibility of the department and that the petitioner could neither arrange the prescribed departmental training herself nor be penalized for the failure by the department to provide it. Urges indiscrimination on the part of the department.

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4. On the other hand, learned Law Officer, while supporting the impugned order, states that the petitioner failed to furnish the induction-training certificate despite being required to do so. Submits that since the Punjab Regularization of Service Act, 2018 has been repelled with effect from 31.10.2025, no relief can be granted in these proceedings.

5. Arguments heard, record perused.

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6. The material question in this case is whether the respondents could lawfully deny the petitioner regularization solely for want of induction training and that too while extending the same benefit to similarly situated educators without insisting upon that requirement.

7. Regularization order, dated 24.03.2025, issued by the District Education Officer (Women), Elementary Education, Mianwali shows that the educators at serial Nos. 2, 3, 4, 5 and 7 were regularized under the Punjab Regularization of Service Act, 2018 who, alongwith the petitioner, were appointed on 23.09.2021. Her specific assertion that the aforesaid educators had also not completed induction training has not been satisfactorily addressed in the impugned order.

8. Clause 9 of the appointment agreement of the petitioner contemplates training designed and scheduled by the Quaid-e-Azam Academy for Educational Development, Lahore or another agency nominated by the Government. Thus arranging and scheduling the prescribed training was primarily the responsibility of the department. Unless such training was duly arranged and the petitioner was afforded an opportunity to attend it, mere non-production of a training certificate could not, by itself, constitute a lawful basis for denying her claim. It

is well settled by now that an employee cannot be made to suffer on account of any omission attributable to the employer.

9. Furthermore, equally important is the principle of equality contained in Article 25 of the Constitution. Where employees are similarly situated in all material respects, the department cannot apply a particular condition selectively to one employee while dispensing with it in the cases of others without demonstrating a lawful and reasonable distinction. The respondents were, therefore, required to explain why induction training did not impede the regularization of the aforementioned colleagues of the petitioner but was treated as a disqualification in her case. No such distinction has been identified in the impugned order.

10. As regards the repeal of the Punjab Regularization of Service Act, 2018, the claim of the petitioner had already arisen and her representation had been submitted on 18.11.2024 well before the repeal date i.e. 31.10.2025. The effect of repeal upon claims arising under the former enactment has also been considered by this Court in the case of *Mohsin Abbas and others v. Secretary Communication & Works and others* (**2026 LHC 1419**). The subsequent repeal, therefore, cannot be

invoked mechanically to avoid examination of a claim that had already arisen under the previous statutory regime.

11. The impugned order fails to examine the claim of the petitioner *qua* discriminatory treatment and it is the duty of the department to arrange induction training and the circumstances in which her similarly placed colleagues were regularized. The impugned order thus cannot be sustained.

12. In view of above discussion, while **accepting** instant petition, the respondents are directed to regularize the services of the petitioner as Senior Elementary School Educator (English), BS-15 at par with the educators mentioned at serial Nos. 2, 3, 4, 5 and 7 of Regularization, order dated 24.03.2025, subject to verification that they were similarly situated in all material respects and that no other lawful impediment exists in the way of the petitioner.

JUDGE

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Qanun-e-Shahadat Order 19

OFFICE OF THE DISTRICT EDUCATION OFFICER (WEE) SARGODHA

Order No. 1866 /Admn Dated 20/10/2026

Subject: - **EXTENSION IN CONTRACT PERIOD**

Whereas, the following educator was appointed as **SESE (English)** under the Recruitment Policy vide Appointment Letter No. MWL/Elementary-11725/2021 dated **22.09.2021**, and was subsequently transferred to this district. Her initial regularization could not be processed due to administrative and training-related hurdles, which became the subject matter of litigation.

And whereas, the Hon'ble Lahore High Court, Lahore passed a judgment dated **08.10.2026** in **Writ Petition No. 31970 of 2026** titled *"Lubna Shabbir vs. Government of Punjab & others"*, which was subsequently forwarded by the **Chief Executive Officer, District Education Authority, Sargodha vide Memo No. 4090/Legal dated 17.10.2026** with directions to ensure compliance with the court's orders. Since her formal regular notification and processing require administrative verification and codal formalities in light of the court's directions, and her previous 5-year contract period completed on **22.09.2026**, her contract tenure is required to be bridged / extended temporarily.

In light of the above judicial directions of the Hon'ble Lahore High Court and the subsequent instructions of the Chief Executive Officer (DEA) Sargodha, and based on the satisfactory performance report submitted by the concerned DDO, the contract of the following educator is hereby extended for the specific period **from 23.09.2026 to 20.10.2026**, under the usual terms and conditions mentioned in her letter of agreement.

Details are as under:

SR. NO.	NAME	DESIGNATION	PLACE OF POSTING AT PRESENT	NO. & DATE OF APPOINTMENT LETTER	DATE OF 1ST JOINING	PREVIOUS EXTENSION	Extension to be granted
1	Lubna Shabbir D/o Shabbir Hussain	SESE (English)	Govt. Girls High School Chak No. 102/SBTehsil and District Sargodha	MWL/Elementary-11725/2021 Dated 22.09.2021	23.09.2021	22.09.2026 (5-Year Term Completed)	23.09.2026 TO 20.10.2026

DISTRICT EDUCATION OFFICER (WEE)
SARGODHA

CC

A copy is forwarded / submitted for information & necessary action to:-

1. *The Chief Executive Officer / District Education Authority Sargodha.*
2. *The District Account Officer Sargodha.*
3. *The District Monitoring Officer Sargodha.*
4. *The District Education Officer (SE) Sargodha.*
5. *The Head of institution concerned.*
6. *The Educator concerned.*
7. *The Notification file.*

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OFFICE OF THE DISTRICT EDUCATION OFFICER (W.EE) SARGODHA

ORDER No. 1867 /Admn DATED 20/10 /2026

SUBJECT: **REGULARIZATION / APPOINTMENT AS SENIOR ELEMENTARY SCHOOL EDUCATOR (ENGLISH) BPS-15 IN COMPLIANCE WITH THE JUDGMENT OF THE LAHORE HIGH COURT, LAHORE PASSED IN WRIT PETITION NO. 31970 OF 2026 TITLED *"LUBNA SHABBIR VS. GOVERNMENT OF PUNJAB & OTHERS"***

In pursuance of the judgment dated **08.10.2026** passed by the **Hon'ble Lahore High Court, Lahore** in **Writ Petition No. 31970 of 2026** titled **"Lubna Shabbir vs. Government of Punjab & others"**, forwarded vide **Chief Executive Officer, District Education Authority, Sargodha's Memo No. 4090/Legal, dated 17.10.2026**, wherein the **grievance of the petitioner was that her service regularization was initially declined/denied by the department solely on the ground of non-completion of induction training**, whereas similarly placed colleagues appointed through the same recruitment process were regularized in District Mianwali. Regarding this, the Hon'ble Court held that arranging such training was the responsibility of the department and an employee cannot be made to suffer for the department's omission. Furthermore, concerning the **repeal of the Punjab Regularization of Service Act, 2018**, the Hon'ble Court explicitly observed and held that:

> ***"As regards the repeal of the Punjab Regularization of Service Act, 2018, the claim of the petitioner had already arisen and her representation had been submitted on 18.11.2024 well before the repeal date i.e. 31.10.2025. The effect of repeal upon claims arising under the former enactment has also been considered by this Court in the case of Mohsin Abbas and others v. Secretary Communication & Works and others (2026 LHC 1419). The subsequent repeal, therefore, cannot be invoked mechanically to avoid examination of a claim that had already arisen under the previous statutory regime."***

And whereas, the Hon'ble Court issued the **final operative directions** in the following exact quote-unquote words:

> ***"In view of above discussion, while accepting instant petition, the respondents are directed to regularize the services of the petitioner as Senior Elementary School Educator (English), BS-15 at par with the educators mentioned at serial Nos. 2, 3, 4, 5 and 7 of Regularization, order dated 24.03.2025, subject to verification that they were similarly situated in all material respects and that no other lawful impediment exists in the way of the petitioner."***

And in compliance with the subsequent directive issued by the **Chief Executive Officer (DEA) Sargodha vide Memo No. 4090/Legal dated 17.10.2026** to **"take appropriate action in the matter and ensure compliance with the directions of the Hon'ble Lahore High Court, Lahore, as applicable"**, the following educator is hereby **regularized as a Senior Elementary School Educator (English) in BPS-15 with immediate effect**, against the post presently held by her:

SR. NO.	NAME OF EDUCATOR	FATHER NAME	NAME OF POST	PRESENT PLACE OF POSTING	CNIC NO.	POST AGAINST WHICH REGULARIZED
1	LUBNA SHABIR	SHABIR HUSSAIN	SESE (ENGLISH / ARTS)	GGHS 102/SB SARGODHA	38303-0944493-6	EST (ENGLISH / ARTS)

Her service shall be governed under the Punjab Civil Servants Act, 1974, the Punjab Civil Servants (Appointment and Conditions of Service) Rules, 1974, and all other rules applicable to regular government employees, including all amendments made from time to time.

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Terms and Conditions of Regular Appointment

1. **Compliance with Rules:** The appointment is subject to the fulfillment of requirements of rules **18, 19, 20, and 21/A** of the Punjab Civil Servants (Appointment and Conditions of Service) Rules, 1974.
2. **Probation:** The appointee shall remain on **probation** in terms of Section-5 of the Punjab Civil Servants Act, 1974, and shall be governed under the Punjab Education Department (School Education) Service Rules-2014.
3. **Prior Contract Service:** The period of service rendered under contract employment shall **not be counted** for any purpose, including pension, gratuity, or leave, upon this regular appointment under the Punjab Civil Servants Act, 1974, and its subsidiary rules.
4. **Salary and Pay Fixation:**
   - The salary component shall be in accordance with the Pay Scales plus usual allowances prescribed for the post against which she is appointed.
   - Pay shall be fixed at the **initial of the respective pay scale**, and increments earned during the contract appointment period shall be converted into a personal allowance.
   - The appointee shall **not** be entitled to the Payment of **30% Social Security benefit** or any other pay package previously drawn in lieu of pension.
5. **Defined Contribution Pension Scheme:**
   - The appointee shall be subject to the **Punjab Defined Contribution Pension Scheme Rules, 2025**, vide **Notification No. FD-SR-III-4-239/2023**, dated **February 19, 2025**.
   - She shall be considered an **employee** for the purposes of this scheme as a person regularized as a civil servant through any legal instrument issued on or after the commencement of the Punjab Civil Servants (Amendment) Ordinance 2023 (I of 2024).
   - She is required to **immediately upon becoming an employee, open a pension account** with the Eligible Pension Fund Manager of her choice, in coordination with the Punjab Pension Fund.
   - She must provide the relevant pension account information, including her selection between a **conventional fund** or a **Shariah compliant fund**, to the Accountant General through the concerned Drawing and Disbursing Officer.
   - The **employee's contribution rate** shall be **10%** of the pensionable pay, and the **employer's contribution rate** shall be **12%** of the pensionable pay, making the **overall contribution 22%**.
   - The employee shall be entitled to the pension account balance from the date of qualifying for the Defined Contribution Pension Scheme, subject to the conditions of the Voluntary Pension System Rules, 2005.
   - She must determine the **allocation policy** for contributions among the sub-funds, subject to the exposure limits as specified in the **Second Schedule**; failure to indicate a policy will result in the application of the **default allocation policy** as specified in the **Third Schedule**.
   - She shall **not withdraw** any amount from her pension account before attaining the **retirement age**.
6. **Seniority:**
   - Seniority shall be fixed at the **bottom of the seniority list** of relevant categories of regular teachers in accordance with the existing rules.
   - Seniority will be determined under **Section-7 of the Punjab Civil Servants Act, 1974** and **Rule-8 of the Punjab Civil Servants (Appointment & Conditions of Service) Rules-1974**, and the appointee will be considered in the seniority list from their date of joining in this district.
7. **Option to Remain on Contract:** Contract employees who do not intend to be appointed on a regular basis must furnish their option to the appointing authorities in writing **within 30 days** from the date of issuance of this appointment letter. Upon this option, they may continue with their present contract terms, but no extension shall be allowed. Those who intend to be regularized **need not apply**. The option once exercised shall be final.
8. **Cancellation of Order:** This regularization order may be treated as **cancelled/withdrawn** if:
   - The educator receives an inter-district transfer from District Sargodha to other District.
   - The educator has not attained the prescribed professional/academic qualification of the post as described in the Recruitment Policy 2018.
   - The educator has already been terminated from service.
   - The educator didn't complete the **three years contractual service** eligibility for regularization as per the Punjab Regularization of Services Act-2018 and related directives.
9. **Verification and Fraud:** If at any stage it is discovered that the appointment was obtained on the basis of forged/bogus documents or through deceit, the appointment shall be considered **void ab-initio**. The appointee

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shall be liable to refund all amounts received from the government, an FIR will be lodged under relevant law by the appointing authority, and other legal action will be taken.

NOTE: The DDO is bound to make the regularization entry in the service book of the aforementioned teacher after proper checking/verification of all academic and professional degrees, and is further directed to obtain the regularization fixation form from the District Account Officer after observing all codal formalities. If anything is found contrary to the rules at any stage, the concerned DDO will be held personally responsible for all consequences in the matter. Strict compliance with the Lahore High Court judgment in Writ Petition No. 31970/2026 and CEO DEA Sargodha's Memo No. 4090/Legal dated 17.10.2026 must be ensured.

DISTRICT EDUCATION OFFICER (W.EE)
SARGODHA

NO. & DATE EVEN.

Copy submitted/forwarded for information to:-

1 PS to Secretary, Govt. of the Punjab, School Edu: Department Lahore.
2 The Director Public Instruction (SE/EE) Punjab Lahore.
3 The Deputy Commissioner (DEA), Sargodha.
4 The Additional Deputy Commissioner (F&P) Sargodha
5 The Chief Executive Officer (DEA) Sargodha, with reference to his Memo No. 4090/Legal dated 17.10.2026.
6 The District Education Officer (SE) Sargodha.
7 The District Monitoring Officer Sargodha.
8 The District Account Officer Sargodha
9 The Head of Institution concerned.
10 The Teacher concerned (Ms. Lubna Shabbir, SESE English)
11 The Notification file.

DISTRICT EDUCATION OFFICER (W.EE)
SARGODHA

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