

**SUPREME COURT OF PAKISTAN**  
(Review Jurisdiction)

**Present:**

Justice Muhammad Ali Mazhar  
Justice Musarrat Hilali  
Justice Shahid Bilal Hassan

**C.R.P.1226/2023 IN C.A.1590-L/2021 and**  
**C.R.P.1227/2023 IN C.P.L.A.1309-L/2021**

Review against the order/judgment of this Court dated  
01.11.2023

Muhammad Ramzan

...Petitioners

**Versus**

...Respondents

Regional Police Officer, Multan and others

For the Petitioners:

In-person.

For the Respondents:

Mr. Khalid Masood Ghani, Addl. AG Pb.

Date of Hearing:

09.06.2026

**Judgment**

**Muhammad Ali Mazhar, J.** The petitioner has filed this review petition against the order dated 01.11.2023, passed by a three-member Bench of this Court in Civil Petition No.1309-L/2021, filed by the present petitioner, and Civil Petition No.1590-L/2021 filed by Regional Police Officer, Multan etc.

2. In fact against one and the same judgment, the petitioner (Muhammad Ramzan) approached this Court to challenge the remand order passed by the Punjab Service Tribunal (**Tribunal**) for conducting regular inquiry and also claimed reinstatement with back benefits by means of filing vide C.A.1590-L/2021 in this Court whereas the Regional Police Officer, Multan challenged the impugned order of the Tribunal in toto vide C.P.L.A.1309-L/2021. The record reflects that through Service Appeal No.4415/2014,

the petitioner (Muhammad Ramzan) had challenged his dismissal order dated 15.08.2013 before the Punjab Service Tribunal and *vide* judgment dated 15.12.2015, his appeal was allowed, while ordering his reinstatement in service, the department was left at liberty to conduct a *de novo* inquiry. As a consequence thereof, a *de novo* inquiry was conducted but again the said petitioner was dismissed from service *vide* order dated 10.01.2017. Since his departmental representation against his dismissal order was rejected *vide* order dated 24.06.2017 therefore, he preferred Service Appeal No.3878/2017 which was allowed by the learned Tribunal *vide* order dated 13.12.2018 and again he was reinstated due to some apparent lapses. The matter was remanded for *de novo* inquiry but fate was not indifferent and the dismissal order was challenged by dint of Service Appeal No.82/2020 which was allowed *vide* the impugned order dated 02.04.2021 and the petitioner was reinstated subject to outcome of regular inquiry with the direction to the department to decide the intervening period after the final outcome of the inquiry which judgment of the Tribunal was impugned by the petitioner in Civil Petition No.1309-L/2021 and the Regional Police Officer, Multan etc. in Civil Petition No.1590-L/2021.

3. Mr. Khalid Masood Ghani, learned Additional Advocate General Punjab, present in Court in some other case, waives notice.

4. We have heard the petitioner, appearing in-person, as well as the learned Additional Advocate General and have carefully gone through the impugned order and the available record. Perusal of the impugned order shows that the co-accused, namely, Asif Nadeem and Sohail Anwar, were proceeded on the same allegations and were reinstated into service and the case was remanded to the competent authority for holding a regular inquiry by affording ample opportunity of fair trial to the accused persons *vide* order dated 24.02.2020 passed by the Tribunal in Service Appeals No.5033 and 5034 of 2019. Therefore, keeping in

view the principle of consistency and parity, the matter of the present petitioner (Muhammad Ramzan) was also remanded by the learned Tribunal with certain directions contained in paragraph No.6 of the impugned order dated 02.04.2021.

5. Learned Additional Advocate General Punjab conceded this legal position as reflecting from the impugned order whereby the matter was remanded for conducting regular inquiry to oversee whether the petitioner was discriminated against and not afforded the treatment as meted out to the aforesaid co-accused persons against whom similar allegations were levelled.

6. It appears that this critical position was not adverted to by this Court while dismissing the civil petition of the petitioner and converting the civil petition filed by the RPO and allowing the appeal. As a result of this misunderstanding, the impugned judgment of the Tribunal was set aside. This Court under the judgment in review held that the dismissal order of the petitioner dated 15.08.2013 was affirmed up to this Court but the petitioner argued that while implementing the judgment of the Tribunal dated 13.12.2018, he was reinstated into service by the department itself on 08.01.2019, hence the original dismissal order lost its significance, though he was again dismissed from service on 05.10.2019 which fact perhaps escaped the attention of this Court and the original order of dismissal was heavily relied upon to nonsuit the petitioner.

7. In fact, this Court reached the conclusion that earlier the same petitioner (Muhammad Ramzan) filed CP.No.2043-L of 2015 which was dismissed and his dismissal order from service was affirmed but if truth be told, the earlier consolidated judgment relied upon by this Court reflects that eighteen Writ Petitions under Article 199 of the Constitution of the Islamic Republic of Pakistan 1973 were filed by forty seven individuals before the Multan Bench of the Lahore High Court. The petitions were filed between July 10, 2013 and December 23, 2014. It was alleged in the petitions by the petitioners that they were

employed in the Punjab Police however their grievances varied; some alleged that they were illegally suspended, some that they had been unlawfully dismissed from service and some that the belt/constable numbers allotted to them had been unlawfully withdrawn, however, all stated that their salaries had been stopped. The department had denied that any of the petitioners were employed in the Punjab Police; they had gotten fraudulent/fake transfer orders from other districts and started getting salaries from the purported place of their transfer as no one at that time suspected that they were impostors, however, as soon as this fraud was discovered their salaries were stopped and action was initiated against them, including filing of criminal cases. It is pertinent to point out that along with the bunch of Civil Appeals No.281-L, 285-L, 296-L to 303-L/2015 various other civil appeals and civil petitions were clubbed including the CP.No.2043-L of 2015 filed by Muhammad Ramzan (Review Petitioner) but allegations against him were totally different than the allegations against the beneficiaries of fake appointments.

8. The plea advanced by the petitioner is that while implementing the judgment of Tribunal dated 13.12.2018, he was reinstated into service by the department on 08.01.2019, hence the original dismissal order dated 15.08.2013 lost its significance, though he was again dismissed from service on 05.10.2019 which fact perhaps escaped the attention of this Court and the original order of dismissal was relied upon to nonsuit the petitioner. Furthermore, the last remand order was passed on the premise that co-accused, Asif Nadeem and Sohail Anwar, were also proceeded on the same allegations but both were reinstated into service *vide* judgment dated 24.02.2020 passed by the Tribunal in Service Appeals No.5033 and 5034 of 2019 and their case was remanded to the competent authority for holding a regular inquiry by affording ample opportunity of fair trial to the accused persons. Keeping in view the rule of parity, the case of present petitioner (Muhammad Ramzan) was also remanded.

9. The mistakes or errors perpetuating illegality and injustice if found floating on the face of the record should be corrected without any hesitation. Orders based on an erroneous assumption of material facts, or without advertent to a provision of law, or a departure from undisputed construction of law and Constitution may amount to an error apparent on the face of the record which include misconstruction of law and misreading of the evidence on record. Where the judgment under review is found to have directed the doing of something which is in conflict with the Constitution or law, then it will be the duty of the Court to amend such error. Though a judgment cannot be reviewed merely because a different view could have been taken, rather a review petition would lie only when there is an alleged error in the judgment which is evident and can be established without elaborate arguments but does not mean to allow the re-hearing of a decided case, more so when the Court has given a conscious and deliberate decision on the point of law as well as of fact while disposing of the constitution petition before it. Moreover, the grounds not urged or raised at the time of hearing the constitution petition cannot be allowed to be raised in the review proceedings. The expression, "error apparent on the face of the record" cannot be defined with precision or exhaustiveness, and there would always remain an element of indefiniteness inherent in its very nature. It is to be determined in each case on the basis of its own peculiar facts but not a mere repetition, through different counsel, of old and overruled arguments; a second trip over ineffectually covered ground or minor mistakes of inconsequential import are obviously insufficient. However, the Court may also reopen its judgment if a manifest wrong has been done and it is necessary to pass an order to do full and effective justice. Ref: Commissioner Inland Revenue Z-III, Corporate Regional Tax Office, Tax House, Karachi versus M/s MSC Switzerland Geneva & others (2023 SCMR 1011 = 2023 SCP 150).

10. In our considered view, there is an error floating on the face of the record and the review petitioner was nonsuited on the basis of an earlier dismissal letter from service which lost its efficacy on reinstatement order passed by the department pursuant to the Tribunal Judgment, therefore, the order under review is hereby recalled. Consequently, Civil Petition No.1309-L/2021 and Civil Petition No.1590-L/2021 both are restored to their original numbers and positions and after hearing the parties on merits, both the civil petitions are converted into appeal and disposed of with the directions to the department to proceed in accordance with the directions contained in paragraph No. 6 of impugned judgment of the learned Tribunal dated 02.04.2021 and pass appropriate order.

Judge

Judge

Judge

ISLAMABAD  
9<sup>th</sup> June, 2026  
Mudassar  
Approved for reporting