

SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)



PRESENT:

Justice Ayesha A. Malik
Justice Muhammad Shafi Siddiqui

CPLA NO.249-L OF 2025

[Against judgment dated 20.12.2024 passed by the Punjab Service Tribunal, Lahore in Appeal No.2876 of 2024]

The Additional Inspector General of Police/
Head of Traffic Police, Punjab Lahore and
others ...Petitioner(s)

Versus

Muhammad Javed and others ...Respondent(s)

For the Petitioner(s) : Mr. Omer Farooq Khan,
Assistant Advocate General, Punjab with
Faisal Sardar, DSP (L), Aqeel Afzal,
SI/Incharge Legal, Sajjad Mehmood, Incharge
Legal Traffic Office, Rawalpindi

For Respondent(s) : Mr. Muhammad Shan Gul, ASC

Date of Hearing : 29.09.2026

JUDGMENT

Ayesha A. Malik, J. This Civil Petition is directed against judgment dated 20.12.2024 passed by the Punjab Service Tribunal, Lahore (**Tribunal**) whereby the appeal filed by Respondents was allowed.

2. Facts of the case are that the Respondents were originally recruited in the General District Police Cadre. In 1995, Standing Order No.2 of 1995 (**Standing Order**)¹ was issued by the Inspector General of Police, Punjab for restructuring of Traffic Police into Traffic Warden Service Cadre. In 2017², establishment of Traffic Warden System in the Province of Punjab was introduced and as a consequence whereof, the Respondents were taken under the Traffic Warden Service Cadre. In 2024, the Respondents were transferred to the Police Cadre which gave rise to the present dispute. The Respondents rely on paragraph 7(i) of the Standing Order to urge the point that they were absorbed in the Traffic Warden Service Cadre. They also rely on the Punjab Police Traffic Wardens Services

¹ Inspector General of Police Standing Order No.2 of 1995

² Letter No.24554-24610/EA-IV dated 12.06.2017, Introduction/Establishment of Traffic Warden System in the entire province of Punjab.

Rules, 2017 (**Rules of 2017**) notified by the Governor of the Punjab on 12.06.2017 wherein Rule 3(7) and 14 of the Rules provide that staff posted at the Traffic Cadre were allowed to retire from service on attaining the age of 60 years and their seniority was to be determined in the manner as prescribed by the police department in their respective units, meaning thereby, services of the Respondents were regulated under the Rules of 2017. The Petitioners on the contrary claim that the Respondents were never absorbed and remained members of the Police Cadre.

3. The basic issue in this case is whether the Respondents belong to the General District Police Cadre or the Traffic Warden Service Cadre? As per the letter dated 30.03.1995, the establishment of a specialized traffic cadre in the Punjab Police was to be a separate cadre with no deputation and this cadre was to be under the control of the District Superintendent of Police. The Standing Order also contains Paragraph 6(1)(e) of the Standing Order which provides that on induction into Traffic Sub-Cadre the constables will be awarded fresh *inter-se* seniority in the Traffic District, this intent of creating a traffic cadre. Furthermore, Paragraph 7(i) of the Standing Order is applicable to the case of the Respondents, which permanently absorbed the Respondents in Traffic Warden Service Cadre. The Rules of 2017 further regulate the services of Traffic Warden Service Cadre in terms of the retirement age for those appointed before the commencement of the Rules of this cadre at the age of 60 years and maintained their seniority in the respective units. Furthermore, we find that change of cadre is not covered under the ESTA Code, especially when absorption is explicitly made under the Standing Order. As per the record, the Respondents have served in the Traffic Warden Service Cadre for considerable time where they have taken training, traffic orientation courses, traffic lower courses, traffic intermediate course and traffic upper course. Therefore, their repatriation the General District Police Cadre is uncalled for.

4. In this context, we find that the tendency to ignore rules and regulations by institution and department gives rise to litigation. Good governance requires institutions to learn from recurring disputes. Where the same administrative practice repeatedly results in grievances, litigation or judicial correction, each case should not be treated as an isolated event. Repetition may itself disclose a deficiency in the rules, their implementation or the administrative approach adopted by the

Department. A responsible public institution must identify that deficiency and correct it rather than require each affected person to establish the same point afresh. Adjudication should correct unlawful administrative action; it should not have to become the ordinary mechanism through which routine administration is made to function. Institutional capacity is strengthened when a Department learns from an error, corrects the practice which produced it and prevents its recurrence.

5. In view of the above, no case for interference is made out. This Civil Petition is, therefore, dismissed and leave refused.

JUDGE

JUDGE

Islamabad
29.09.2026
' APPROVED FOR REPORTING '
Azmat/*