

**IN THE SUPREME COURT OF PAKISTAN**  
(Suo Moto Jurisdiction)

**Present:**

Mr. Justice Mushir Alam  
Mr. Justice Qazi Faez Isa  
Mr. Justice Mazhar Alam Khan Miankhel

**Suo Moto Case No.12/2015**

***SUO MOTU ACTION REGARDING UNSATISFACTORY  
INVESTIGATION IN CASE FIR NO.544/15 UNDER SECTION  
420/468/471 PPC AT PS DEFENCE-A, LAHORE***

**C.R.P.740/2015 in S.M.C.12/2015, C.M.A.8732/2015 in .R.P.  
NIL/2015 in S.M.C.12/2015 &C.M.A.9037/2015 in C.R.P. NIL/  
2015 in S.M.C.12/2015**

***Defence Housing Authority,  
Lahore thr. its Secretary  
(in C.R.P.740/2015 & C.M.A.8732/2015)***

***Pakistan Telecommunication  
Corporation Ltd., Islamabad  
(in C.M.A.9037/2015)***

...Petitioner(s)

**VERSUS**

***Govt. of Pakistan thr. Secretary,  
M/O Law, Justice and Parliamentary  
Affairs, Islamabad and Others. (in all cases)***

...Respondent(s)

In Attendance:

For Federation of Pakistan:	Ch. Aamir Rehman, Addl. AG
For Govt. of Punjab:	Mr. Qasim Ali Chohan, Addl. AG.Pb Ch. Zubair Ahmed Farooq, Addl.PG Pb
For Govt. of KP:	Mr. Zahid Yousaf Qureshi, Addl.AG
For Govt. of Sindh:	Mr. Sibtain Mehmood, Asstt. AG.
For Accused persons:	Barrister Mehmood A. Sheikh, Sr. ASC
For DHA: (in SMC 12/15)	Raja Abdul Ghafoor, ASC

IN CRP 740 & 9037/15: Mr. Shazaib Masud, ASC

Date of Hearing: 06.03.2019

**ORDER**

Barrister Mehmood A. Sheikh, learned Sr. ASC for the accused persons states that the investigation into FIR No.544 of 2015 was directed to be proceeded in accordance with law vide order dated 8.9.2015 passed by this Court. It is informed by the learned counsel for the accused persons therein and so also by the learned Additional Advocate General, Punjab that pursuant to statement made by the complainant of the FIR same is a result of misunderstanding, therefore, the FIR has been cancelled.

2. Learned counsel for the accused persons in the FIR states that their case is being regularly linked alongwith the instant SMC No.12 of 2015 which has arisen out of the order dated 20.8.2015 passed by this Court in the Criminal Petition No.440 of 2015 which stand dismissed and they have to attend the Court every time the matter is listed. Criminal matter be delinked, however, it may attach with SMC No.12 of 2015 for the purposes of reference.

3. There is a written request for adjournment made by Mr. Arshad Ali Chaudhry, learned AOR on behalf of Mr. Anwar Mansoor Khan, on the ground, *inter alia*, that he has been appointed as Attorney General for Pakistan, therefore, he cannot appear in the instant case.

4. The application on the face of it being frivolous, Mr. Anwar Mansoor Khan has not been appointed as Attorney General for

Pakistan recently. He stated to be appearing for the DHA, Karachi and DHA is very much aware of the status of the counsel, who has now chosen to make an application for adjournment, the application is declined.

5. Through instant review petitions, various statutory Organizations are resisting audit by the Auditor General for Pakistan as reiterated by this Court vide order dated 8.9.2015 whereby Auditor General for Pakistan was directed to conduct audit of DHA.

6. Learned counsel for the DHA, Karachi states that since there was an application for adjournment, which has since been declined, he could not prepare the case. Reluctantly, with word of caution the matter is being adjourned to a date in the next week.

7. Let notice be issued to the learned Attorney General for Pakistan to ensure that representation on behalf of the Government of Pakistan is made on the next date and all the review petitioners to ensure that they are duly represented otherwise, the matter may be heard and decided by the Court on the basis of available record and those who chose to appear and proceed with the matter.

**Judge**

**Judge**

**Judge**

Islamabad  
6.3.2019  
arshed