

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.

Mr. Justice Abdul Hameed Dogar

Mr. Justice Saiyed Saeed Ashhad

Civil Petition No.788 of 2006

M/S Al-Mahmudia (Pvt) Ltd.

...Petitioner

VERSUS

Pakistan through Secretary M/O Housing & Works, Islamabad etc.

...Respondents

For the petitioner:

Mr. Hafiz. S.A. Rehman, Sr. ASC

Mr. Mehr Khan Malik, AOR

Respondents:

N.R.

Date of hearing:

14.9.2006

ORDER

Iftikhar Muhammad Chaudhry, CJ.—This petition has been filed against the judgment dated 5.6.2006 passed by Lahore High Court, Rawalpindi Bench.

2. Learned counsel stated that in view of the judgment in the case of *Federation of Pakistan through Secretary Education Vs. Pr.Dr. Anwar and two others* (2006 SCMR 382) the petitioner is entitled for hearing before the competent authority by way of submitting his reply. In this behalf it may be noted that a larger Bench of this Court earlier delivered a judgment in the case of *Federation of Pakistan Vs. Muhammad Tariq Pirzada and two others* (1999 SCMR 2744) and settled that hearing before Section Officer is sufficient. Relying upon the same judgment, learned High Court had observed that hearing before Section Officer will meet the requirements of Article 32 Order PO(1) 1983.

2. We are inclined to agree with the judgment delivered by a larger Bench comparing the judgment which has been relied upon by the

learned counsel, therefore, the earlier view taken in Tariq Pirzada's case(ibid) is approved and petition is dismissed holding that the High Court had rightly declined to interfere in the impugned order following the law laid down in the judgment delivered by a larger Bench of this Court.

Petition is dismissed and leave declined.

Chief Justice

Judge

Judge

Islamabad, the
14th September, 2006
Nisar/*

APPROVED FOR REPORTING