

Form No: HCJD/C-121  
**ORDER SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

Writ Petition No. 1720 of 2016

Najeeb Fayyaz and others  
**Vs**

The Capital Administration and Development Division, etc.

| <b>S. No. of<br/>order/<br/>proceedings</b> | <b>Date of<br/>order/<br/>proceedings</b> | <b>Order with signature of Judge and that of<br/>parties or counsel where necessary.</b> |
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| <u>05-12-2019.</u> | Mr. Ali Murad Baloch, Advocate for the petitioner.<br>Syed Muhammad Tayyab, DAG. |
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The petitioners through this petition are seeking a writ in the nature of mandamus.

2. The learned counsel for the petitioners was asked whether before invoking the jurisdiction of this Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973 the latter had approached the competent authority. The learned counsel has stated that representation, which is annexed with the petition at page 27 was filed but no decision has been taken as yet. The petition is, therefore, premature at this stage. However, in order to meet the ends of justice, this petition is converted into a representation deemed to be pending before the competent authority of the Federal Directorate of Education. The competent authority is expected to afford an opportunity

of hearing to an authorized representative of the petitioners and thereafter decide the matter, inter alia, taking into consideration the principles and law highlighted by a learned Division Bench of this Court vide judgment, dated 11.01.2017, passed in ICA No. 510 of 2014 titled "Chairman FBR versus Atta Muhammad Mahsud, etc."

3. The petition stands disposed of accordingly.

*CHIEF JUSTICE*

*Saeed.*