

Form No: HCJD/C-121.

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

W.P. No. 1955 of 2020

Muhammad Fayyaz
Vs
Capital Development Authority, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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- 01) 22-07-2020. Mr Nadir Ali Siddiqui Advocate, for the petitioner.

The petitioner through this petition is seeking implementation of the findings of Wafaqi Mohtasib (Ombudsman) rendered vide order, dated 18.03.2020.

2. The learned counsel was asked whether before invoking the jurisdiction of this Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973 the petitioner had availed remedies available under the Establishment of the office of Wafaqi Mohtasib (Ombudsman) Order, 1983 [hereinafter referred to as the **"Order of 1983"**].

3. The learned counsel has stated that several representations have been made to the competent authority of the Capital Development Authority but there has been a refusal to implement the findings rendered by

the Wafaqi Mohtasib (Ombudsman) vide its order, dated 18.03.2014.

4. It is noted that the Order of 1983 provides for effective and efficacious remedies for the purposes of implementing the findings rendered by the Wafaqi Mohtasib (Ombudsman). The Wafaqi Mohtasib (Ombudsman) is not only empowered to initiate contempt proceedings but may also take appropriate action under section 12 of the Order of 1983. Since statutory remedies are available, therefore, this petition is pre-mature at this stage. However in order to meet the ends of justice, the instant petition is directed to be transmitted by the office to the Wafaqi Mohtasib (Ombudsman) Secretariat and it shall be treated as a petition for implementation of the findings rendered vide order, dated 18.03.2014.

5. The instant petition is accordingly **disposed of**.

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Tanveer Ahmed.

CHIEF JUSTICE