

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

Civil Revision No.171/2017

Capital Development Authority through its Chairman

Versus

Tariq Niazi, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	14-09-2020	Mr G. Shabbir Akbar, Advocate for petitioner. Syed Mujtaba Haider Sherazi, Advocate for respondent.

Through this petition, the petitioner has assailed order, dated 28-01-2017, whereby the right of the Capital Development Authority to cross examine the witnesses was closed.

2. With the able assistance of the learned counsels, the record has been perused. The examination-in-chief of PW-1 namely, Tariq Niazi was recorded on 15-01-2016. Since the recording of the examination-in-chief till passing of order, dated 18-01-2017, on numerous occasions the proceedings were adjourned on one pretext or the other. The learned counsel who has appeared on behalf of the Capital Development Authority, despite his able assistance, was not able to satisfy this Court

regarding the conduct on part of the Authority in pursuing the matter. It is alarming that the cross-examination of a witness was delayed for more than one year. The learned trial Court appears to have failed in regulating its proceedings in such manner so that trial had concluded within reasonable time. Nonetheless, in order to meet the ends of justice, the instant petition is allowed with the expectation that the learned trial Court will afford a last and final opportunity to the Capital Development Authority to cross examine the witnesses, subject to payment of cost of Rs.20,000/- (Rupees twenty thousand only), to the plaintiff/respondent. This Court further expects that adjournments will not be sought on behalf of both the parties and the learned trial Court will endeavor to conclude the trial expeditiously.

(CHIEF JUSTICE)

Luqman Khan.