

**ORDER SHEET.**  
**ISLAMABAD HIGH COURT, ISLAMABAD.**  
**JUDICIAL DEPARTMENT.**

**Crl. Org.No.142-W/2015**

**Abdur Rasheed Awan**

**Vs.**

**Ali Rasul, Deputy Director (Administration), Trade Development  
Authority of Pakistan**

| <b>S. No. of order/<br/>proceedings</b> | <b>Date of order/<br/>Proceedings</b> | <b>Order with signature of Judge and that of<br/>parties or counsel where necessary.</b>                     |
|---|---------------------------------------|--|
|   | 17.06.2019.                           | Mr. Abdur Rashid Awan, advocate/petitioner in person.<br>Mr. Farooq Iqbal Khan, advocate for the respondent. |

The petitioner has brought on record judgment dated 30.07.2016, passed by the Court of the learned Civil Judge, in civil suit No.33/2014. This judgment and decree has been passed in a suit for possession through partition of properties, which have been clearly mentioned in paragraph 7 of the said judgment. Amongst the said properties are (i) basement shop No.03, Kashmir Plaza, Blue Area, Islamabad, measuring 14x56 Sq. Ft., and (ii) basement shop No.04, Kashmir Plaza, Blue Area, Islamabad, measuring 14x56 Sq. Ft. These two properties were rented out to Trade Development Authority of Pakistan ("T.D.A.P.").

2. Learned counsel on behalf of the respondent submitted that the respondent is ready, willing and able to hand over possession of the said properties, but to the lawful owners.

3. The petitioner submitted that one of the lawful owners, namely Altaf Ahmed Nomani, (who had filed the suit for possession through partition) is present in the Court and undertakes to take over possession of the said properties for himself as well as for the decree holders in civil suit No.33/2014.

4. Since this Court vide order dated 09.06.2014, passed in writ petition No.2013/2011, had appointed Mr. Abdur Rashid Awan, learned ASC as Administrator with respect to the above-mentioned properties, he may take over possession of the said properties and ensure that the same are handed over to the decree holders in civil suit No.33/2014.

5. Let possession of the said properties be taken from T.D.A.P. within a period of two weeks from the date of the receipt of this order.

6. The petitioner submitted that he reserves the right to recover damages from T.D.A.P. for the damage to the rented premises and others dues, if any.

7. Disposed of in terms of paragraphs 4 and 5 above. This issues with the consent of the petitioner as well as the learned counsel for the respondent.

**(MIANGUL HASSAN AURANGZEB)  
JUDGE**

**\*Sanaullah\***