

Form No: HCJD/C-121.

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

W.P. No. 2743 of 2014

Izhar Ali Hunzai and another
Vs
Federation of Pakistan, 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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- 07) 27-02-2020. Mr Nauman Munir Paracha Advocate, for the
petitioner.
Mr Muhammad Saifullah Gondal, AAG.

The petitioners have assailed order, dated
13.03.2013, passed by the Federal Government under sub
section (1) of section 11B of the Anti-Terrorism Act, 1997
[hereinafter referred to as the "**Act of 1997**"].

2. The learned counsel for the petitioners has
contended that; the impugned order, dated 13-03-2013,
has been issued by the Federal Government which has no
jurisdiction to deal with any matter relating to Gilgit-
Baltistan; he has placed reliance on various provisions of
the Constitution of the Islamic Republic of Pakistan, 1973
in support of his contention that Gilgit-Baltistan is not part
of Pakistan and, therefore, jurisdiction of the Federal
Government does not extend to that territory; the Federal

Government had no power or jurisdiction to issue such an order; the impugned order is not a speaking order because it has been issued in violation of section 24A of the General Clauses Act, 1897.

3. The learned Assistance Attorney General, on the other hand, has argued that; the petitioners do not have a locus-standi to challenge the order, dated 13.03.2013; the petitioners have not placed any material on record to show that they were members of or had any relationship with the organization which was declared as proscribed under the Act of 1997; the Act of 1997 provides for a right of review under section 11C and an appeal is also provided to the High Court.

4. The learned counsels have been heard and the record perused with their able assistance.

5. The petitioners have assailed notification, dated 13.03.2013, whereby a juridical person namely, "Khana-e-Hikmat" has been placed in Schedule-I of the Act of 1997. Despite the able assistance of the learned counsel for the petitioners, it could not be established to the satisfaction of this Court that the latter had the locus standi to challenge the impugned notification. There is nothing on record to show the relationship of the petitioners with the entity which has been placed in

Schedule-I of the Act of 1997. They have also not placed on record a valid authorization to assail the impugned notification.

6. For the above reasons, ~~the~~ this petition is **dismissed**.

Tanveer Ahmed.

CHIEF JUSTICE