

Form No: HCJD/C-121.
ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

W.P. No. 1113 of 2020

Union Council Rawat through its Chairman
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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01. 13-04-2020. Mr. Asif Saeed Mughal, Advocate for the
petitioner.

The petitioner Union Council is seeking a direction to the respondents, which essentially is regarding executive functions relating to the prevalent emergency situation to deal with the crisis of *coronavirus*. The learned counsel has referred to various provisions of the Islamabad Capital Territory Local Government Act, 2015 in support of his contention that the Government is under an obligation to discharge certain mandatory functions.

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 respondents were approached. The learned counsel has answered in the negative.

3. It is noted that the Government is taking measures to deal with the crisis that has arisen due to the outbreak of *coronavirus*. It is an admitted position that the challenges are not confined to Pakistan as the crisis is being dealt with globally. The Government of Pakistan and the respective provincial governments are dealing with the prevailing emergency situation. They have taken appropriate measures and the petitioner Union Council has not placed anything on record to doubt that enough is not being done. This Court has constantly observed that in such situations there is need for national unity and to have trust in the State to deal with the emergency situation. This Court, therefore, restrains itself from entertaining the instant petition lest it may prejudice the efforts made by the executive authorities. However, the petitioner Union Council, if so advised, may approach the concerned forums and highlight the matters stated in the petition. It is for the executive authorities to consider such grievances and to take decisions as it may deem appropriate to deal with the emergency situation. The petition is, therefore, disposed of.

(CHIEF JUSTICE)