

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

Criminal Original No. 144 of 2019

Muhammad Sharif Khokhar

Vs

Mr. Sher Zaman Khan, Chairman, Indus River System 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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01-09-2020. Mr. Abdul Rahim Bhatti and Mr. Yasser Rahim Bhatti, Advocates for the petitioner.  
Mr. Muhammad Hashim Khan, Advocate for the respondents.  
Mr. M. Saifullah Gondal, Assistant Attorney General.

Through this consolidated order, I shall dispose of the titled petition along with Criminal Original no. 145/2019 titled "*Zeehsan Riaz Tarar vs. Mr. Sher Zaman Khan, Chairman Indus River System Authority and another*".

2. The petitioners had alleged violation of this Court's order, dated 17.01.2018, passed in the respective constitutional petitions.

3. The learned counsel for the petitioner has informed that one of the petitioners, namely Muhammad Sharif Khokhar was proceeded against and ultimately exonerated from all the charges. The latter retired from

service after reaching the age of superannuation. Likewise Zeeshan Riaz Tarar was also exonerated and reinstated in service on conclusion of disciplinary proceedings. The learned counsel has argued that despite the clear direction given by this Court the respondents failed to decide the question of back benefits.

4. The learned counsel, who has appeared on behalf of the respondents, has submitted a copy of order, dated 13.03.2020. It is noted that the said order was passed in pursuance of the direction given by this Court vide order, dated 26.02.2020. The petitions were disposed of in January, 2018 and it was the obligation of the respondents to decide the question of back benefits within reasonable time. The delay in deciding the matter relating to back benefits is deprecated. However, this Court is bereft of jurisdiction to adjudicate order, dated 13.03.2020, while exercising jurisdiction under the Contempt of Court Ordinance, 2003. Nonetheless, the petitioners, if so advised, shall be at liberty to avail remedies under the law and before the competent forums to challenge order, dated 13.03.2020.

3.

Criminal Original No. 144/2019.

5. The petitions stand, therefore,  
accordingly disposed of.

*CHIEF JUSTICE*

Saeed.