

ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Writ Petition No.1795/2020.

Asif Khan

Versus

Pakistan Housing Authority (Foundation), etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	08.07.2020.	Mr. Muhammad Asif Gujjar, Advocate for petitioner.

Through this writ petition, the petitioner has assailed the order dated 26.06.2020, passed by learned Full Bench NIRC in Appeal No.12A(157)/2019.

2. Learned counsel for the petitioner contends that petitioner has filed his grievance petition before learned Single Bench NIRC, which was decided vide order dated 28.10.2019 and respondent PHA has filed appeal U/S 58 of the IRA, 2012, which was admitted for regular hearing on 26.06.2020, however, learned Full Bench NIRC has suspended the order of learned Single Bench NIRC till the next date of hearing i.e. 26.10.2020; that suspension order passed by learned Full Bench NIRC is contrary to law as well as to the judgment passed by this Court in W.P No.559/2017.

3. Learned counsel for the petitioner has been confronted as to whether main appeal is still pending before learned Full Bench NIRC, whereby he candidly conceded that matter is fixed for 26.10.2020 and he is only aggrieved with interim order passed by learned Full Bench NIRC.

4. In view of above contention raised by learned counsel for petitioner and keeping in view record position, *lis* is yet to be adjudicated by the learned Full Bench NIRC, which is fixed for 26.10.2020. During the pendency of matter before competent forum, interim order could not be challenged in constitutional Court, as such there is no final order in field, therefore, at this stage any observations made by this Court might effect the case of either party.

5. Keeping in view the above, petitioner may approach learned Full Bench NIRC for early hearing of the case, subject to their availability in roster. Therefore, instant writ petition is *dismissed in limine*. However, it is expected from Chairman NIRC as well as from Full Bench NIRC to consider the hardships of the petitioner for early fixation of main appeal.

(MOHSIN AKHTAR KAYANI)
JUDGE

Zahid