

Form No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

I.C.A. No.64/2022

Syed Saadat Hussain Shah & another
Versus
The Federation of Pakistan & 5 others

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	22-02-2022	Sardar Abdul Raziq Khan Khan, Advocate for appellant.

Athar Minallah, C.J.- This appeal is directed against order, dated 17-01-2022, passed by the learned Single Judge in Writ Petition No.140/2022.

2. The learned counsel has been heard at length. The appellants had assailed order, dated 12-12-2021, passed by the learned Additional Deputy Commissioner, Auqaf Directorate, Islamabad, whereby the latter had turned down the request to allow *Urs of Hazrat Bari Imam (RA)* to be celebrated in 2022. The learned Single Judge dismissed the constitutional petition on the ground that security assessment falls within the exclusive domain of the executive authorities.

3. The learned counsel, despite his able assistance, was not able to persuade us that the impugned order suffers from any legal infirmity. The assessment of security risk definitely falls within the exclusive domain of the

executive authorities. Moreover, an opinion formed by the competent executive authority cannot be substituted by a court of law nor is justiciable while exercising jurisdiction under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973.

4. For the above reasons, the appeal is without merit and, therefore, accordingly **dismissed.**

(CHIEF JUSTICE)
(ARBAB MUHAMMAD TAHIR)
JUDGE

Luqman Khan/*