

ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD. **JUDICIAL DEPARTMENT.**

C.R No.498/2019.

Durdana Kazmi

Versus

Federation of Pakistan through Secretary, Ministry of Housing and Works 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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21.02.2020	Mr. Qaiser Imam Chaudhry, Advocate for the petitioner. Barrister Muhammad Mumtaz Ali, AAG. Muhammad Mohsin Pasha, Joint Estate Officer.
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Through the instant civil revision petition, the petitioner has assailed the order dated 12.09.2019, passed by learned Civil Judge 1st Class (West), Islamabad, whereby suit filed by the petitioner for declaration and permanent injunction was disposed of. The petitioner has also assailed the order dated 18.12.2019, passed by learned Additional District Judge, Islamabad, whereby his appeal was dismissed.

2. Learned counsel for the petitioner contends that the petitioner was civil servant and respondent No.2/Estate Office allotted house No.50-F, Street No.04, Sector G-6/3, Islamabad to the petitioner being Medical Officer BPS-18 in Federal Government Polyclinic Hospital, Islamabad and she retired from service on 15.03.2018 and her extension period expired on 15.09.2019, however, she filed request for retention period as her ailing mother is going under the process of chemotherapy for cancer treatment, who is 77 years old; that house of the petitioner is located next to Federal Government Polyclinic Hospital, Islamabad and due to the said reason, she intends to retain the accommodation for next six months and she undertakes to vacate the same on 31.03.2020; that both the Courts below have not appreciated this fact despite her request for submission of

undertaking; that house of the petitioner will be ready in next month and the petitioner intends to shift her belongings in new house, which requires time of 45 days.

3. Learned AAG alongwith representative of Estate Office contends that house in question has been allotted to another civil servant; that the petitioner has no right to retain the premises beyond notified period.

4. In view of above, the petitioner has been confronted regarding vacation of the suit house, which has been allotted to another civil servant, whereupon she has contended that possession of the suit house will be handed over to Estate Officer on 31.03.2020 and government charges will be submitted before the Estate Office in accordance with rules and no further extension will be sought.

5. On the basis of commitment of the petitioner, she can retain the suit house till 31.03.2020 subject to payment of rent in accordance with rules and thereafter she will hand over the suit house to the Estate Office through the procedure provided under the rules. It is made clear that no further extension for retention of government accommodation will be granted to the petitioner.

6. The instant civil revision petition stands disposed of in above terms.

(MOHSIN AKHTAR KAYANI)
JUDGE

R.Anjam