

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

**Crl. Org. No.198/2019.**

Salman Ahmad Gill

Versus

Mian Asad Haya-ud-Din etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
01.	18.09.2019.	Mr. Basar Shahzad, Advocate for the petitioner.

Through instant criminal original, the petitioner has prayed for initiation of contempt of Court proceedings against the respondents for non-compliance of the direction passed by this Court vide order dated 03.06.2015 in Crl. Org. No.493/2014 in writ petition No.770/2009.

2. Learned counsel for the petitioner contends that this Court vide order dated 03.06.2015 issued direction to the respondents for conducting denovo inquiry against the petitioner after joining the petitioner and it was further directed to conclude the same within period of 02 months but the said direction was not complied with.

3. In order to resolve the controversy, I have gone through the operative part of the order dated 03.06.2015 passed in Crl. Org. No.493/2014, which is reproduced as under:-

*“The petitioner, in his main petition, alleges certain illegalities and pilferage of public exchequer and there was a direction to both the respondents to look into the matter and submit report. It was incumbent upon the respondents to call upon the petitioner for adducing his version in the light of assertions made in the petition but no opportunity was afforded to him, therefore, report furnished cannot be considered in accordance with the direction under implementation.*

*In view of above, petition stands disposed of with direction to respondents to conduct denovo inquiry into the matter after joining the petitioner and petitioner and providing him full opportunity to adduce his version. The proceedings shall be culminated within two months under intimation to this Court.”*

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4. The above mentioned order has been confronted to the learned counsel for the petitioner as to whether denovo inquiry has been conducted or otherwise, whereby he conceded that denovo inquiry has been conducted and inquiry report has been placed on record with specific findings as such the findings disclose that the order has been complied with, in letter and spirit, even opportunity of adducing version by the petitioner is also reflected in the said report. The record further reveals that writ petition No.1007/16 was filed by the petitioner on the basis of said inquiry report, which was withdrawn on 30.05.2019. In these circumstances question of contempt of Court does not arise. Therefore, this criminal original bears no merits, therefore, the same is *dismissed in limine.*

(MOHSIN AKHTAR KAYANI)  
JUDGE

R.Anjam