

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

**Writ Petition No.3806 of 2021**

***Izaz ul Haq, etc.***

***Vs.***

***Federation of Pakistan, etc.***

<b>S. No. of order/ proceedings</b>	<b>Date of order/ Proceedings</b>	<b>Order with signature of Judge and that of parties or counsel where necessary.</b>
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26.10.2021. Mr. Shah Khawar, Advocate for the petitioners.

Through the instant petition, the petitioners have inter-alia challenged notices dated 26.04.2021 and others alongwith notification bearing SRO 1665 (I) 2019 dated 31.12.2019.

**2.** Learned counsel for the petitioners, *inter-alia*, contends that the impugned notification has allegedly been issued pursuant to Fundamental Rules 45 of the Fundamental and Supplementary Rules which have no backing as such. It was further contended that Fundamental Rules (FR) 45 pertains to rule making power if any of the local government does not confirm any authority on the federal government to make rules pertaining to the accommodation allotment to the civil servants. It was submitted that since the notices have been issued purportedly under the impugned notification, hence the same are also not tenable.

**3.** Notice to the respondents, who shall file report and parawise comments/reply, so as to reach this Court within a fortnight. To be heard alongwith W.P No.2971 of 2021, W.P No.2878 of 2021 and W.P No.2892 of 2021. Since *vires* of the federal statute is under challenge, hence notice under Order 27-A CPC shall also be issued to the Attorney General for Pakistan.

**4.** Re-list on 18.01.2022.

**C.M No.01 of 2021**

Notice. Meanwhile, no adverse action shall be taken under the impugned notices.

**C.M No.02 of 2021**

The exemption sought for is allowed subject to all just and legal exceptions.

**(AAMER FAROOQ)  
JUDGE**

\*Niqab M\*