

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.1768-2021

M/s Telenor Pakistan (Pvt) Ltd.
Versus
Federation of Pakistan, 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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15-10-2021

On 01-07-2021 arguments of the learned counsels for the parties were heard. However, while going through the record, it is felt that further assistance is required. The Department is expected to satisfy this Court that in the absence of passing of an order under section 57 read with section 124 of the Income Tax Ordinance, 2001, recovery under section 138 can be resorted to.

2. Relist on 21-10-2021. The office is directed to inform the learned counsels for the petitioner company as well as the respondent Department to ensure their presence on the next date fixed.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.1768-2021

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(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3625-2014

Mehboob ur Rehman
Versus
National Highway Authority, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Mr Muhammad Rustam Malik, Advocate for petitioner.

C.M. No.4304/2021.

The applicant through this application
seeks restoration of the main petition.

2. Notice.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.4662-2018

Syeda Nighat Sibtain Kazmi
Versus
National Police Foundation, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Syed Zafar Ali Shah, Advocate for applicant.

C.M. No.4226/2021.

The applicant through the instant application seeks early hearing of the main petition. The application is disposed of by directing the office to fix the main petition for hearing in accordance with the policy of this Court.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.2703-2019

Muhammad Moeen Raza, etc.
Versus
Prime Minister Secretariat, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Nemo.

C.Ms. No.4225 and 4230 of 2021.

The applicants through these instant applications seek early hearing of the main petition. The applications are disposed of by directing the office to fix the main petition for hearing in accordance with the policy of this Court.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3812-2020

Muhammad Riaz
Versus
Collector of Customs, Islamabad, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Mr M. D. Shahzad, Advocate for applicant.

C.M. No.4335/2021.

The applicant through the instant application seeks early hearing of the main petition. The application is disposed of by directing the office to fix the main petition for hearing in accordance with the policy of this Court.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3812-2020

Muhammad Riaz
Versus
Collector of Customs, Islamabad, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Mr M. D. Shahzad, Advocate for applicant.

C.M. No.4335/2021.

The applicant through the instant application seeks early hearing of the main petition. The application is disposed of by directing the office to fix the main petition for hearing in accordance with the policy of this Court.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3813-2020

Malik Aman
Versus
Customs Appellate Tribunal, 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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15-10-2021 Mr M. D. Shahzad, Advocate for applicant.

C.M. No.4338/2021.

The applicant through the instant application seeks early hearing of the main petition. The application is disposed of by directing the office to fix the main petition for hearing in accordance with the policy of this Court.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.1401-2021

Arbab Muhammad
Versus
Pakistan Engineering Council, 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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15-10-2021 Mr Muhammad Mustafa Khattak, Advocate for applicant.

C.M. No.4236/2021.

The applicant through the instant application seeks early hearing of the main petition. The application is disposed of by directing the office to fix the main petition for hearing in accordance with the policy of this Court.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3671-2021

Muhammad Noman, etc.
Versus
Federation of Pakistan, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Ch. Hassan Murtaza Mann, Advocate for petitioners.

The petitioners assert that through negotiation they have sold their properties to respondent no.3.

2. The learned counsel has, inter alia, contended that pursuant to the negotiated settlement between the petitioners and respondent no.3, the Award is no more valid.

3. Let notices be issued to respondents no.2 and 3 for filing report and para-wise comments within a fortnight.

C.M. No. 01/2021.

Exemption sought for is allowed, subject to all just and legal exceptions.

C.M. No.02/2021.

Notice for a date in the next week.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3680-2021

Sarfraz Qamar
Versus
Federation of Pakistan, 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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15-10-2021 Raja Inam Amin Minhas, Advocate for petitioner.

The petitioner asserts that after completion of the election process he was declared as the successful candidate for the post of Chief Commissioner, Pakistan Boy Scouts Association.

2. The learned counsel has, inter alia, contended that the respondents are refusing to issue the petitioner's notification.

3. The office is directed to issue notice to respondent no.3 for filing report and para-wise comments within a fortnight.

C.M. No. 01/2021.

Exemption sought for is allowed, subject to all just and legal exceptions.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3681-2021

Mirza Sajjad Ahmed, etc.
Versus
Federal Govt. of Pakistan, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Mr Muhammad Idrees, Advocate for petitioner.

The petitioners are aggrieved because they assert that they own and are in possession of land in Moza Hummak, Islamabad.

2. The learned counsel has, inter alia, contended that without any notice, respondent no.4 i.e. Assistant Commissioner, Islamabad has transferred the land in favour of the Defence Housing Authority. The learned counsel has referred to a document attached with the petition at page-5. The learned counsel has stated that the land has been acquired nor any scheme was approved by the Capital Development Authority.

3. The office is directed to issue notice to respondents no.2, 4, 5 and 6 for filing report and para-wise comments within a fortnight.

4. Relist after 10 days.

C.M. No. 01/2021.

Exemption sought for is allowed,
subject to all just and legal exceptions.

(CHIEF JUSTICE)

Luqman Khan/*

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

Crl. Org. No.290-2021

Muhammad Shah
Versus
Tariq Rasheed, DG, FGEHA

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Mr Hasan Rashid Qamar, Advocate for petitioner.

The learned counsel has stated that he does not press the petition and has further stated that the petitioner reserves his right to file a fresh petition. Order accordingly.

(CHIEF JUSTICE)

Luqman Khan/*

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

Crl. Misc. No.929-2021

Syed Ghazanfar Ali, etc.
Versus
The State, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Syed Faizan Ali Gardezi, Advocate for petitioner. Mr Rabi Bin Tariq, State Counsel. Mr Barkat, ASI with record.

Request for adjournment has been made
on behalf of the learned counsel for the
petitioner. The office is directed to relist the
petition on 29-10-2021.

(CHIEF JUSTICE)

Luqman Khan/*

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3314-2021

Ch. Masood Ahmad
Versus
CDA, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Mr Khurram M. Hashmi, Advocate for petitioner. Syed Muhammad Ali Bokhari, Advocate for respondents.

The learned counsel for the petitioner, at the very outset, has stated that he has been instructed to withdraw the petition because some fresh cause of action has arisen. The petition is, therefore, dismissed as withdrawn.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3522-2021

M/s Bin Sadiq Traders, etc.
Versus
Collector of Customs, MCC, 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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15-10-2021

Mr Sikandar Naeem Qazi, Advocate for petitioner.
Mrs Misbah Gulnar Shari, Advocate for respondent no.1.
Ch. Imtiaz Ahmed, Advocate for respondent no.2.
Mr Maryam Khalid, Dy. Director (I&I).

Ms Maryam Khalid, Deputy Director,
Directorate of Intelligence and Investigation,
Model Customs Collectorate has appeared
alongwith the learned counsel. They have
submitted copy of letter, dated 13-10-2021,
addressed to the Collector of Customs. They
have also informed that the consignment has
been de-blocked. The Collector Customs,
Islamabad may, therefore, associate an
authorized officer of respondent no.3 for
drawing fresh samples. After the samples have
been drawn, the Collector of Customs shall be
at liberty to send it to a Laboratory for
chemical examination.

2. Since the consignment has already been
ordered to be released under section 81 of the
Customs Act, 1969, therefore, the process has

to be completed not later than 18-10-2021.

The parties will be liberty to submit a copy of the chemical analysis report received from the Laboratory. The Collector of Customs is expected to issue a 'delay and detention certificate' pursuant to order passed under section 81 of the Customs Act, 1969.

3. The office is directed to relist the petition after the report has been submitted.

(CHIEF JUSTICE)

Luqman Khan/*

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3529-2021

Abid Mehmood
Versus
Justice of Peace, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Mr Tariq Muhammad Khan Marwat, Advocate for petitioner. Mr Rabi Bin Tariq, State counsel. Mr Abdul Rauf, Advocate for complainant. Mr Sikandar ASI with record.

The learned counsel who has appeared on behalf of respondent no.4 has sought adjournment on the ground that he has been recently instructed and, therefore, needs time to prepare his brief and this assist this Court.

2. Relist on 04-11-2021. The injunctive order is extended till the next date fixed.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.2456-2020

Mst. Riaz Bibi, etc.
Versus
Land Acquisition Collector, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Ch. Hafeez Ullah Yaqub, Advocate for petitioner. Mr Rabi Bin Tariq, State Counsel/ICT. Ch. Farhat Abbas, Advocate for respondent. Dr Sataish, Deputy Commissioner, FGEHA. Mr Mohsin Pasha, AD Legal, FGEHA. Mr Khan Zeb, D.D. Law, FGEHA.

The learned counsel for the petitioners, during the course of arguments, has stated that representations were filed but have not been decided by the competent authority.

2. Dr Sataish, Deputy Commissioner, has appeared on behalf of Federal Government Employees Housing Authority. She has stated that Awards were announced in 2014 and 2017 and that according to her information the petitioners were not included in the announced Awards. However, she has assured that the representations of the petitioners, if pending, will be decided in accordance with law. The

petitions are, therefore, accordingly
disposed-of.

(CHIEF JUSTICE)

Luqman Khan/*

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3288-2020

Muhammad Razzaq, etc.
Versus
Land Acquisition Collector, 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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15-10-2021

Vide this Courts detailed order of even date, passed in W.P. No.2456/2020 titled '*Mst. Riaz Bibi, etc. v. Land Acquisition Collector, etc.*', the instant petition stands disposed-of in the terms mentioned therein.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

Crl. Org. No.246-2021

Taj Muhammad Khan
Versus
Mr Amir Ahmed Ali, Chairman CDA, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Nemo for petitioner. Ms Misbah Gulnar Sharif, Advocate for CDA. Mr Irfan Azim Khan, Director General (Env.) CDA. Mr Faraz Malik, Director (MP/HS), CDA.

The case has been called repeatedly. Despite repeated calls no one appeared for or on behalf of the petitioner. The case is reflected in the cause list and there is no application for an adjournment. In the circumstances, the instant petition is, therefore, dismissed for non-prosecution.

(CHIEF JUSTICE)

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.2839-2021

Nazar Khan
Versus
Capital Development Authority, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Mr M. Saeed Khan Niazi, Raja Sohail Ibad, Advocate for petitioner. Ms Misbah Gulnar Sharif, Advocate for CDA. Mr Irfan Azim Khan, Director General (Env.) CDA. Mr Faraz Malik, Director (MP/HS), CDA.

The petitioner has assailed notice, dated 02-08-2021, whereby the Capital Development Authority has directed the latter to remove the encroachments.

2. The learned counsel has been heard at length. The learned counsel was asked to satisfy this Court that the petitioner is in lawful possession of acquired land. He has stated that the Capital Development Authority has issued the notice in violation of the Capital Development Authority Ordinance, 1960. However, he could not satisfy this Court that the petitioner had taken possession of the acquired land in accordance with law and with the permission of the competent authority.

3. For the foregoing reasons, the petition is without merit and, therefore, accordingly dismissed.

(CHIEF JUSTICE)

Luqman Khan/*

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3486-2021

Ume Habiba, etc.
Versus
Federation of Pakistan, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Mr Rabi Bin Tariq, proxy counsel for petitioner. Syed Muhammad Tayyab, Dy. Attorney General.

The learned Deputy Attorney General states
that written comments would be filed within the
next few days. Adjourned.

(CHIEF JUSTICE)

Luqman Khan/*

No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

Crl. Org. No.271-2021

Shaukat Ali
Versus
Muhammad Shahbaz Jamil, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	15-10-2021	Mr Umer Ijaz Gillani, Advocate for petitioner. Mr Muhammad Younus, AVP, ZTBL.

Mr Muhammad Younus (AVP) has appeared on behalf of the Zarai Taraqiati Bank Limited and has requested for adjournment on the ground that notice was received late. Respondent no.1 is, therefore, directed to ensure that a written report is submitted before the next date fixed.

2. Relist on 28-10-2021.

(CHIEF JUSTICE)