

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

Writ Petition No. 1319/2021

Shamim Haider

Versus

Federal Government Employees Housing Authority and others.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
(06)	18.02.2022	Malik Zafar Abbas, Advocate for petitioner. Barrister Muhamamd Hassan, Advocate for respondent No.1. Sardar Muhammad Usman Sami, Advocate for respondents No. 2 & 3. Mohsin Pasha, Assistant Director (Law) and Muhammad Siraj, Assistant Director, FGEHA.

Through the instant writ petition, the petitioner has prayed for cancellation of allotment of Plot No.21, Street No.801, Sector G-14/3, Islamabad, from the name of predecessor of respondent No.2 & 3. He has further prayed for allotment of said plot in his name.

2. Learned counsel for the petitioner contends that predecessor in interest of respondents No. 2 & 3 has been allotted two plots for which he was not entitled as he had already been allotted a similar category plot. Learned counsel further contends that the petitioner fulfills the criteria and is eligible for the allotment of plot.

3. Conversely, learned counsel for respondent No.1 alongwith Assistant Director (Law), FGEHA in attendance has submitted the detailed report, wherein, the operative Para is as under: -

"In the light of above, it is settled that the petitioner applied for allotment of Category-I plot in Phase-IV Scheme. The applicants of Pakistan Railways were not initially considered eligible for allotment under FG quota. However, after notification of Ministry of Railways as well as order of Honorable Supreme Court, the employees of Pakistan Railways were declared Federal

Government/Civil Servants. The date of birth of petitioner is 15.11.1939 and as per age-wise seniority criteria of respective scheme, she is senior most and on top of waiting list amongst applicants of Pakistan Railways. If a Category-I plot becomes available for allotment in the scheme she applied for i.e. Phase-IV (Sector G-14) then that plot can be offered to her for allotment. If no plot of Category-I becomes available for allotment to petitioner then she will be allotted as plot as per her entitlement in the forthcoming schemes i.e. Sectors F-12/G-12 by the Authority subject to fulfillment of all legal and codal formalities as well as after removal of other legal impediments."

4. In view of the stance taken by the respondent authority/FGEHA, the issue stands resolved in favour of the petitioner, whereby, her right qua the allotment of plot in Sectors F-12/G-12, Islamabad has been acknowledged, subject to fulfillments of all legal and codal formalities as well as after removal of other legal impediments, therefore, instant writ petition stands **DISPOSED OF.**

(MOHSIN AKHTAR KAYANI)
JUDGE

Khuram