

**JUDGMENT SHEET.**

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

**Writ Petition No. 271/2020**

**Syed Saleem Shah**

**V/s.**

**The Secretary, M/o Interior, Government of Pakistan, Islamabad, etc.**

**Petitioner by: Mr. Muhammad Saleem Khan Tanoli, Advocate.**

**Respondents by: Mr. Saqlain Haider Awan, AAG.**

**Date of Decision: 11.08.2020.**

**MOHSIN AKHTAR KAYANI, J:-** Through this writ petition, the petitioner has assailed the order of placement of his name in ECL and prayed for removal of his name from the said list.

2. Learned counsel for the petitioner contends that petitioner is officer of the local Government, Baluchistan and presently posted as Administrator/Chief Officer, Municipal Committee Gadani, Lasbella, Baluchistan, whereby NAB Regional Office Baluchistan initiated inquiry against Khalid Langove and others in which petitioner was also associated, however, petitioner requested the pardon which was accepted by the NAB but during this process petitioner's name has been placed on ECL; that petitioner has prayed for removal of his name from ECL through applications dated 01.11.2018 & 12.04.2019 to the Chairman NAB but not fruitful result has been achieved; that matter was also placed before the Ministry of Interior and Cabinet Sub-Committee Meeting was convened but no decision whatsoever has been taken in this regard; that name of petitioner was placed on ECL without legal justification and even the petitioner

is not an accused in any pending reference nor any criminal case is pending against him.

3. Conversely, learned AAG contends that petitioner is accused in the NAB inquiry and he was given conditional pardon by the NAB, Quetta, Baluchistan and he became approver; that petitioner has made similar request to the Hon'ble Balochistan High Court and the said matter was settled and as such his name could not be removed from the ECL as he has not assailed the order dated 14.06.2018, passed by Balochistan High Court before the Apex Court.

4. We have heard the arguments and perused the record.

5. Perusal of record reveals that petitioner is praying for removal of his name from ECL as he was initially accused in NAB Inquiry for misuse of his authority in terms of corruption and corrupt practices. The petitioner was subsequently made approver by the NAB Quetta, Baluchistan and name of the petitioner was recommended by the NAB to place on ECL. The petitioner agitated the matter, as such matter was not finally settled but surprisingly petitioner has filed C.P No.81/2018 titled Syed Saleem Shah Vs. Federal Secretary, Ministry of Interior and others before Hon'ble Balochistan High Court in which similar prayer was made for removal of his name from ECL, which is still pending.

6. Keeping in view the above position, learned counsel for the petitioner has been confronted regarding the pendency of constitution petition at Balochistan High Court, however, no legal justification has been placed as to why the matter was not disclosed or referred in the pleadings of instant writ petition. The entire background of this case reflects that petitioner has deliberately and willfully concealed the proceedings pending before the Hon'ble Balochistan High Court in order to get favourable order in his favour. The conduct of petitioner is apparently dubious, who concealed the pending proceedings before Balochistan High Court from this Court and even has submitted his affidavit in support of

his petition which is contrary to record. Such like conduct of petitioner has to be dealt in accordance with law for concealment and false assertions.

7. In view of above, instant writ petition is not maintainable and the same is hereby *dismissed* with costs of Rs.20,000/- (Rupees Twenty Thousand only) to be paid by the petitioner in the SOS Village, Islamabad. Copy of this order be transmitted to the Chairman NAB, Islamabad, D.G NAB, Quetta and Secretary, M/o Interior, Islamabad.

(FIAZ AHMAD ANJUM JANDRAN)  
JUDGE

(MOHSIN AKHTAR KAKANI)  
JUDGE

Zahid