

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

Writ Petition No.576 of 2021

National Highway Authority through its Chairman, Islamabad.

VS

M/s Usmani Associates, through Amna Ghazal Usmani and another.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
01.	12.02.2021.	Ms. Raheema Khan and Mr. Saad Javid Satti, Advocates for the petitioner. Mr. Jawad-ur-Rehman Malik, Advocate for respondent No.1.

Through the instant petition, the petitioner has challenged order dated 07.01.2021, passed by learned Additional District Judge-West, Islamabad, whereby the application for condonation of delay filed by respondent No.1 was accepted.

2. Learned counsel for the petitioner, *inter-alia*, contends that the grievance of the petitioner is that respondent was bound to file petition under Section 14 and 17 of Arbitration Act, 1908 on or before 21st October, 2020 i.e. within a period of 90 days from the receipt of award, whereas the application was filed on 03.11.2020 in the Court of learned District Judge-West, Islamabad, which is badly barred by time and the learned Trial Court was not legally authorized to accept the same, so the impugned order is liable to be set-aside.

3. Points raised need consideration.
Notice to the respondents, who shall file
parawise comments/reply as well as to ensure
presence of their counsel to assist the Court.
Mr. Jawad-ur-Rehman Malik, Advocate present
in Court accepts notice on behalf of
respondents No.1.

4. Re-list in the next week.

C.M. No.01 of 2021.

Notice.

C.M. No.02 of 2021.

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

**(TARIQ MEHMOOD JAHANGIRI)
JUDGE**