

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

W.P No. 4606 of 2021

Muhammad Qadeer
VS
Commissioner, ICT, 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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14.03.2022.	Mr. Sajid Mehmood Choudhary, Advocate for the Petitioner. Mr. Dawood iqbal, State Counsel. Mr. Muhammad Ali, Advocate for Respondent No. 3.
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Learned counsel for Petitioner submits that through the Impugned order dated 04.10.2021 the Deputy Commissioner/ Commissioner (Rev), ICT, Islamabad has erroneously failed to exercise jurisdiction which is exclusively vested therein pursuant to Section 6(4) of the Muslim Family Law Ordinance, 1961 and has erroneously held that the learned Family Court has jurisdiction based on wrongful interpretation of Judgment dated 13.09.2021 passed by Honourable Lahore High Court in Criminal Revision No. 168/2019.

2. Learned State Counsel has candidly conceded that such assertion of the Petitioner is correct and in respect of application for contracting 2nd marriage revision would indeed lie to Deputy Commissioner, ICT, Islamabad. In so far as the Judgment relied upon by the Deputy Commissioner is concerned, the same is regarding offences under Section 6(5)(b) of the Muslim Family law Ordinance, 1961 whereas in the instant case no offence has been committed.

3. In view of the above, the matter is remanded to Deputy Commissioner with direction to hear the revision application of the Petitioner and to decide it in accordance with law within a period of two months from the date of receipt of certified copy of this order.

4. Petition stands ***disposed of***.

(SAMAN RAFAT IMTIAZ)
JUDGE

