

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

Criminal Original No.66/2020
In
Writ Petition No.3662/2013

Irfan Ullah
Vs
Ishfaq Nadeem Ahmad and others.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	18.05.2020	M/s. Sohail Akbar Chaudhary, Irfan Ullah and Fakhra Sultan, Advocate for the petitioner. Mr. Usman Ahmad Ranjha, Advocate, and Barrister Omer Malik for the respondents.

Through the instant Criminal Original, the
petitioner has made the following prayer:

*“In the light of above submission, it is
most respectfully prayed that while allowing
this petition, the proceedings of contempt of
Court against the respondents may
graciously be initiated to establish the
majesty of this Honorable Court by inflicting
exemplary punishment in order to create
sense of allegiance and obedience towards
the Courts orders/direction.*

*It is further prayed that the
respondents may be directed to do all the
acts necessary for implementation of the
order dated 17.01.2020 passed by this
Honorable Court.”*

2. The learned counsel for the petitioner, *inter alia*, contends that after decision in writ petition 3662/2013, the petitioner approached the respondents on 03.03.2020, where the interview of the petitioner was conducted by a panel consisting of three members but the petitioner

has not been accommodated against any post in the office of the respondent; that the action of the respondents is a result of colorful exercise of power, whereas the respondents were under obligation to implement the order of this Court in letter and spirit hence they are liable to be proceeded against for contempt of Court.

3. On the other hand, the learned counsel for the respondents submitted that order of this Court was duly complied with by the competent authority by considering the application of the petitioner afresh, but as there was no suitable post as per qualification/ experience of the petitioner in the Company, therefore, the petitioner was advised that he may apply in future for any suitable vacancy and his application shall be considered afresh. In this way, the competent authority of the respondent has complied with the direction passed by this Court and prayed for dismissal of this petition.

4. This Court vide order dated 17.01.2020 passed in W.P.No.3662/2013 directed respondent No.3 to consider the petitioner as per his qualification against a suitable post. In the light of the said direction the respondent have considered the petitioner and found that no suitable post as per qualification and experience of the petitioner is available in the company at present and also advised the petitioner that he may apply in future for any suitable post to meet the criteria, as such, the respondents have complied with the direction passed by this Court. Therefore, in light of the referred position, there is no violation of order, passed by this Court.

5. In view of above, the instant Criminal Original is without merit and is accordingly **dismissed**.

(Ghulam Azam Qambrani)
Judge

Rana. M.Ift

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