

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

Criminal Original No. 82/2020
Maulana Abdul Hameed etc
Vs
Mst. Mehreen Balouch

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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01.	15.05.2020	Mr. Muhammad Shahid Kamal Khan, Advocate.
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Through the instant criminal original, petitioners pray for initiation of contempt proceedings against the respondents for violating the order dated 22.04.2020, passed in W.P. No. 1198/2020.

2. Facts, relevant for the adjudication of the instant contempt petition, are that the petitioners through the W.P. No. 1198/2020 impugned the Office Orders dated 28.02.2020, 03.03.2020 & 18.03.2020 issued by the District Administration and Auqaf Directorate on the grounds that the same have been passed without providing opportunity of hearing and that they are performing the duties in the Masjid and Madrassa for many years. It was further asserted that previously through an order passed in Criminal Misc. No.05/2014, the matter was remanded to the learned Additional District Judge, who disposed of the same in the light of compromise between the parties and that once again same issue has been reopened by the respondents contrary to the previous settlement.

3. After giving preliminary hearing to the learned counsel for the petitioners, notices were ordered to be issued to the respondents for

submission of report/para-wise comments within three weeks vide order dated 22.04.2020.

4. Learned counsel contends that on 12.05.2020, the respondent has sealed the Masjid without any lawful authority and restrained the petitioners from performing their religious duties by ignoring the fact that a writ petition on the subject is already pending before this Court wherein the present respondent amongst others is under notice.

5. Heard the learned counsel and examined the file.

6. Record reveals that vide order dated 22.04.2020, notices were issued to the respondents for submission of report/ parawise comments and there was no status quo or injunctive order. The petition did not explore any act on the part of the respondent which could be termed a misfeasance, contrary to the order dated 22.04.2020. The purported act, at the most, could give a cause of action to the petitioners but cannot be termed a disobedient act in contravention of the order dated 22.04.2020.

7. In view of above, no further proceedings in the instant contempt petition are called for. It, being misconceived, is accordingly dismissed.

(FIAZ AHMAD ANJUM JANDRAN)
JUDGE

Imran