

Form No: HCJD/C-121
ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

Civil Revision No. 259 of 2015

Capital Development Authority
Vs
Muhammad Yaqoob, 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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05-12-2019. Ch. Muhammad Shafqaat, Advocate for the
petitioner.
Mirza Irfan Ghazanfar, Advocate for the
respondents.

This petition has been filed by the
Capital Development Authority assailing order,
dated 29.11.2014, passed by the learned
executing Court. The proceedings are in
relation to execution of decree, dated
19.05.2011. The Capital Development
Authority had assailed the said decree and the
appeal has been dismissed by a learned
Division Bench of this Court vide judgment,
dated 18.11.2019.

2. The learned counsel for the petitioner
has been heard at length. The learned counsel
has referred to Order XXVII Rule 8A of Civil
Procedure Code, 1908. The learned counsel,
despite able assistance, could not satisfy that
the Capital Development Authority could be
treated as a "Government". Even otherwise
the learned trial Court has not exercised its

discretion in an arbitrary or fanciful manner.
This Court is satisfied that no interference is
required and consequently this petition is
dismissed as being devoid of merit.

CHIEF JUSTICE

Saeed