

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

Writ Petition No.352 of 2020

Mst. Sabiha Laeeq.

VS

District and Sessions Judge (West), Islamabad and another.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	06.02.2020.	Mr. Usman Ali, Advocate for the petitioner.

Through the instant petition, the petitioner seeks direction to respondent No.2 to decide her suit expeditiously in accordance with law.

2. At the outset, learned counsel for the petitioner was confronted whether any application has been made to the Member Inspection Team (MIT), Islamabad High Court; the answer was in the negative.

3. Arguments advanced by learned counsel for the petitioner have been heard and the documents placed on record examined with his able assistance.

4. This Court vide SRO No.744 (I)/2013, dated 12.08.2014 formulated rules which are called as the Islamabad High Court, Member Inspection Team (MIT) Powers, Duties and Functions Rules, 2014. In light of

the said rules, the Hon'ble Chief Justice may appoint one or more District & Sessions Judges to work as Member(s) of the Inspection Team of Islamabad High Court to perform various functions, which are provided in Rule 2 ibid. For the sake of brevity the rules are reproduced below:-

“2. The Hon'ble Chief Justice may appoint one or more District & Sessions Judges to work as Member(s) of the Inspection Team of Islamabad High Court, to perform the following functions:-

- a) To monitor the monthly performance of subordinate courts.***
- b) To inspect the sub-ordinate courts at random and on the directions of the Hon'ble Chief Justice.***
- c) To ensure quarterly inspection of the courts by its presiding officers and yearly inspection of all the courts within their jurisdiction by the District & Sessions Judges concerned.***
- d) To ensure compliance of the directions of the National Judicial (Policy Making) Committee (National Judicial (Policy Making) Committee) by the subordinate courts.***
- e) To suggest measures for eradication of corruption among the staff of the subordinate courts.***
- f) To speedily process the complaints regarding the work and conduct of the Judicial Officers of subordinate courts.***
- g) To deal with the informal complaints regarding the work and conduct of the Judicial Officers of subordinate courts.***

- h) To issue directions from time to time for regulating the work of the subordinate courts;*
- i) To examine the monthly jail inspection notes of courts and give suggestions/proposal in this regard and to put up the same before the Hon'ble Chief Justice.*
- j) To scrutinize the consolidated monthly performance reports received from each District regularly and submit the same with his own comments to the Hon'ble Chief Justice and the Hon'ble Inspection Judge/Hon'ble Judges of the High Court.*
- k) To redress the grievances of the public relating to delays, obstacles and irregularities in the disposal of the cases by the subordinate courts as well as grievances of the public arising due to illegalities, high-handedness, violation of rules and regulations by the official functionaries.*
- l) To maintain record of pendency and disposal of cases of Anti-Terrorism courts on weekly and monthly basis.*
- m) To make suggestions and recommendations deemed necessary for promotions of speedy disposal of cases and measures for convenience of the Bar and the litigant public.*
- n) To suggest special measures for disposal of old cases pending in the subordinate courts.*
- o) To coordinate the activities relating to Access to Justice Program.*
- p) To undertake and perform any other task specially assigned to him by the Hon'ble Chief Justice/Hon'ble Inspection Judge of*

the subordinate courts/Hon'ble Judges of Islamabad High Courts.

- q) To study the weakness, bottlenecks of the procedure and the system and make recommendations/proposals for removing the same.*
- r) To maintain record and follow up action in view of the periodical inspections and other inspections of the subordinate courts by the Hon'ble Inspection Judge of officers of Islamabad High Court including Member Inspection Team (MIT) under the directions of Hon'ble Chief Justice, Islamabad High Court.*
- s) To regularly obtain reports from the Criminal Courts about disposal of cases of women prisoners, juvenile offenders and prisoners involved in petty offences.*
- t) To ensure all time availability of a striking force for immediate action on complaints of corruption.*
- u) To monitor the performance of the process serving agencies, point out the deficiencies and dereliction in the performance of duty by the personnel of the process serving agencies, bring the same to the notice of concerned Authorities and suggest measures for effectively overcoming such deficiencies and shortcomings.”*

For the purposes of present writ petition, a direction is sought for expeditious disposal of the pending litigation of the petitioner. In this behalf, it is within the domain of the Member Inspection Team (MIT) of this Court to speedily process the complaints regarding the work and conduct of the Judicial Officers of subordinate courts; to issue directions from

time to time for regulating the work of the subordinate courts; to redress the grievances of the public relating to delays, obstacles and irregularities in the disposal of the cases by the subordinate courts as well as grievances of the public arising due to illegalities, high-handedness, violation of rules and regulations by the official functionaries and to undertake and perform any other task specially assigned to the MIT by the Hon'ble Chief Justice/Hon'ble Inspection Judge of the subordinate courts/ Hon'ble Judges of Islamabad High Courts.

5. In light of the above rules, the Member Inspection Team has specific power to issue appropriate direction to the subordinate Courts where he feels that there is delay in disposal of any case before the Court.

6. In view of the above, the petitioner has an efficacious remedy before the Member Inspection Team (MIT) of this Court. The petitioners since have an alternate and efficacious remedy, the instant petition is not maintainable, hence is **dismissed** in *limine*.

(AAMER FAROOQ)
JUDGE

Approved For Reporting.