

Form No: HCJD/C-121.

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

W.P. No. 1148 of 2019

Dr Mutahir Shah, etc.

Vs

Federation of Pakistan, 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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- 08) 12-09-2019. Syed Iftikhar Hussain Gillani and Mr M. Saad
Butter Advocates, for the petitioners.
Syed Muhammad Tayyab, DAG.
Mr Zafar Iqbal, D.S. Health Division.
Mr M. Amjad Khattak, Superintendent PIMS.

The petitioners have invoked the jurisdiction of
this Court under Article 199 of the Constitution of the
Islamic Republic of Pakistan, 1973 [hereinafter referred to
as the "**Constitution**"] seeking the following prayers:

*"It is, therefore, respectfully prayed
that the Respondent No. 1 may kindly be
directed to:*

- i. Implement the Judgment of the
Honorable Supreme Court dated
13.02.2019 and finalize the service
structure of the Petitioners.*

*ii. Process the promotion of the
Petitioner in a Special DSB at the
earliest.*

OR

*Any other order be passed which this
Honorable Court deems fit and proper
for the grant of relief to the
Petitioner. "*

2. Mr Zafar Iqbal, Deputy Secretary has appeared alongwith the learned Deputy Attorney General and has stated that all pending cases are being forwarded to the Departmental Promotion Committee for consideration. He has further stated that a Committee has been constituted to implement the direction given by the august Supreme Court in paragraph 3 of order, dated 13-02-2019, passed in Criminal Review Petition No. 94/2016 in CrI. O.P. No. 89/2011, etc. titled "Dr Musa Khan v. CDA through its Chairman, Islamabad".

3. It is noted that the august Supreme Court had specified a period of three months in order to finalize the service structure of employees of all the hospitals existing in Islamabad Capital Territory. The official who has appeared on behalf of the respondents has stated that it

is expected that the direction of the august Supreme Court would be implemented at the earliest.

4. In view of the above, to the extent of prayer at serial no. 2, the grievance stands redressed because the names of the petitioners are being forwarded to be considered by the Departmental Promotion Committee. The respondents are expected that the direction given by the august Supreme Court in ^{the} aforementioned order will be implemented in letter and spirit at the earliest, preferably within thirty days from the date of receiving a certified copy of this order.

5. The instant petition stands **disposed of** in the above terms.

CHIEF JUSTICE

Tanveer Ahmed.