

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

W.P. No.2097/2019
Qasim Raza
versus
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.
------------------------------	----------------------------	---

30.5.2019. 37

Mr. Muhammad Naeem Khan, Advocate for petitioner.

Through the instant writ petition, the petitioner seeks directions to cease the illegally functioning/operating M/s Anwar Children and General Hospital, Gujar Khan, Rawalpindi.

2. Brief facts referred in the instant writ petition are that Dr. Anwar-ul-Haq Qureshi/respondent No.2 established a hospital under the name of M/s Anwar Children and General Hospital in the year 2008 without having necessary education or specialization i.e. DCH Diploma in Children Health and has been committing fraud with public at large.

3. Learned counsel for petitioner contends that under Article 4 of the Constitution of Islamic Republic of Pakistan 1973 it is the duty of Federation to protect the life, property and dignity of every citizen of Pakistan; that respondents are adamant not to take any legal action against respondent No.2; that if functioning of the said hospital is not restrained, the petitioner as well as the general public shall suffer an irreparable loss, therefore, directions may be

issued to respondents to cease functioning of M/s Anwar Children and General Hospital.

4. Arguments heard, record perused.

5. Perusal of the record reveals that the petitioner is seeking action against M/s Anwar Children and General Hospital, Gujar Khan, Rawalpindi /respondent No.2 which falls within the purview of Punjab Healthcare Commission, Lahore and Provincial Health Secretary Punjab, even otherwise, petitioner is seeking remedy against illegal practices conducted by respondent No.2 and has impleaded respondents No.3,5,6&7, whose offices are situated within territorial jurisdiction of Punjab and the respondents are responsible for redressal of grievance of petitioner, therefore, while considering the Article 199 (1)(a-i) of the Constitution of Islamic Republic of Pakistan, 1973 direction can only be issued to those persons performing duties within the territorial jurisdiction of the Court, functions in connection with the affairs of the Federation, a Province or a local authority and as such said respondents do not fall within the territorial jurisdiction of this Court, therefore, instant writ petition is misconceived, same is hereby *dismissed in-limine*.

(MOHSIN/AKHTAR KAYANI)
JUDGE

Khalid Z.