

Form No: HCJD/C-121
JUDGMENT SHEET.

IN THE ISLAMABAD HIGH COURT,
ISLAMABAD.

Criminal Original No.216-W of 2017

Shoukat Mehmood and 02 others

Versus

Sheikh Ansar Aziz, Chairman Capital Development Authority, Islamabad and 03 others.

**Petitioner's by : Mr. Khurram Mehmood Qureshi,
Advocate.**

**Respondent's by : Barrister Nobahar Ali and Amir Latif Gill,
Advocates.
Khushal Khan Khattak, Member Estate,
Capital Development Authority.**

Date of Decision : 15.10.2019

AAMER FAROOQ, J. - The petitioners, in the instant petition, allege violation of order dated 20.01.2017, passed by this Court in Writ Petition No.4356 of 2016.

2. The facts, in brief, are that the petitioners are employees of Capital Development Authority and were aggrieved of non-allotment of plots to them, which they are entitled as employees. In this behalf, the matter was agitated by way of a petition under Article 199 of the Constitution, which was disposed of on 20.01.2017, in which learned counsel for Capital Development Authority stated that the matter is in process and shall be placed before Capital Development Authority for consideration and approval.

3. Learned counsel for the petitioners, *inter-alia*, contended that as per order of this Court in the writ petition, the petitioners were to be allotted plots

as per their entitlements, however, despite various opportunities granted by the Court they have not done the needful. It was contended that the respondents to be proceeded against for contempt of Court.

4. Learned counsel for the respondents, *inter-alia*, contended that in compliance of the order by this Court, the matter was taken up before the Board of Capital Development Authority and it was decided that the matter shall be taken up as per the policy of the Board, when the case of other employees is considered. It was also submitted that at the moment, the Capital Development Authority has no plot for allotment, the needful shall be done as and when the plots are available alongwith other employees.

5. Arguments advanced by learned counsel for the parties have been heard and the documents placed on record examined with their able assistance.

6. This Court disposed of writ petition No.4356 of 2016 on 20.01.2017 in the following terms:-

"3. In the light of the above, the Capital Development Authority is expected to do the needful i.e. to consider the grievance of the petitioners and to place it before the Board, preferably within 60 days."

The bare perusal of the order shows that the direction was issued to Capital Development Authority to consider the grievance of the petitioners and place before the Board within 60 days. In compliance of the order, the matter was placed before the Board of Directors, which resolved that their case for allotments shall be considered alongwith other CDA employees at the time of allotment of plots of all employees on merit. Though the needful has not been done within 60 days, however, the Court had not made any specific direction in this behalf but rather had expected the Board of Capital Development Authority to do the needful within 60 days.

7. The order of this Court in the aforementioned writ petition stands complied with. Since the order has been complied, there is no justification or basis to proceed with the instant petition, which is accordingly **disposed of**.

(AAMER FAROOQ)
JUDGE

M. Zaheer Janjua