

IN THE ISLAMABAD HIGH COURT

Writ Petition No 800 /2013

Not. Private. Mac
-I-
25/07/13
Examiner
Copy Supply Section
Islamabad High Court
Islamabad

Wahaj us Siraj, son of Dr. Siraj ul Haq Mahmood, holding CNIC No.61101-5743837-3 resident of House 1, Street 1, G-6/3, Islamabad.

...Petitioner

Versus

1. **Pakistan through Secretary, Cabinet Division**, Cabinet Block, Constitution Avenue, Islamabad.
2. **Secretary, Ministry of Information Technology**, 4th Floor, Evacuee Trust Complex, Agha Khan Road, F-5/1, Islamabad.
3. **Secretary, Establishment Division**, Pak Secretariat, Constitution Avenue, Islamabad.
4. **Council of Common Interests through its Secretary/Secretary, Ministry of Inter-Provincial Coordination**, 2nd Floor, Cabinet Block, Constitution Avenue, Islamabad.
5. **Pakistan Telecommunication Authority through its Chairman**, PTA Headquarters, F-5/1, Islamabad.

WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN

Respectfully sheweth:

1. That the Petitioner, a professional engineer having a Masters Degree in Engineering from the University of Melbourne (Australia), is a tax-paying citizen of Pakistan and is an active consumer of telecommunication services having a keen interest in the availability of best quality telecommunication services to the



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25/07/13

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

Writ Petition No. 800 of 2013.

Wahaj-us-Siraj
VS.
Pakistan through Secretary, Cabinet Division, 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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01-04-2013. Barrister Momin Ali Khan, Advocate for petitioner.
Mr. Tariq Mehmood Jehangiri, DAG.
Mr. Iftikhar Ahmed Bashir, Advocate for respondent No.2.
Mr. M. Sajjad Awan, S.O, IPC Division.
Mr. Muhammad Ayub, Deputy Manager (Legal) M/O Information Technology.
Mr. Muhammad Ashfaq, Deputy Secretary, Cabinet Division.
Mr. Amjad Saeed Awan, S.O, Establishment Division.
Mr. Abdul Samad, Director HR, PTA and Mr. Faraz Khan, Jadoon, Law Officer, PTA.

On the joint request of learned counsel for the parties, matter is adjourned to any date in the last week of April, 2013.

C.M No. 965-2013.

As authority is without its members and has become dysfunctional, due to expiry of term of members, therefore, operation of amended rules, challenged through instant petition is suspended. Respondents are directed to complete process in the light of advertisement dated 29th January, 2013 and not on the basis of advertisement dated 14-02-2013. This will be subject to final decision of instant writ petition.

Examined
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Authorized Under Article-8
Shahadat Order

(SHAUKAT AZIZ SIDDIQUI)
JUDGE

Form No: HCJD/C-121.

ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

W.P.No.800/2013

Wahaj us Siraj Vs Pakistan through Secretary, Cabinet Division, 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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25.3.2013. Mr.Afnan Karim Kundi, Advocate for petitioner.
Mr.Iftikhar Ahmad Bashir, Advocate for respondent No.2.
Mr.Nabeel Rehman, Adv. for respondent No.5.
Qazi Rafi ud Babar, learned D.A.G.
Mr.Abdul Samad, Director H.R, PTA.
Mr.Muhammad Ashfaq, Deputy Secretary, Cabinet Division.
Mr.Amjad Saeed Awan, S.O, Estab. Div.

All the respondents are directed to file report and parawise comments, in terms of order dated 28.2.2013, before next date of hearing, which is being fixed as 1.4.2013, for final arguments. It is made clear that no further adjournment, shall be granted.

sd/
(SHAUKAT AZIZ SIDDIQUI)
JUDGE.

M.S.Zaki.

sd/
Examined
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Subscribed Under Article 2
of the Shikhar Order 1999

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

Writ Petition No.800/2013

Wahaj ur Siraj Vs. FOP 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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19.03.2013	Mr. Afnan Karim Kundi, ASC and Barrister Momin Ali Khan, for petitioner. Mr. Tariq Mehmood Jahangari, learned DAG. Abdul Samad, Director (HR) PTA. Muhammad Ashfaq, Dy. Secretary, Cabinet Division.
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C.M.No.963, 964 & 966/2013

For the reasons ^{Said Pz} in the CMs the same are allowed subject to all just and legal exceptions.

Disposed of.

C.M.No.965/2013

The instant C.M. has been moved for making arrangement to fill in two posts in the office of PTA as Member & acting Chairman. Let copy of the CM be provided to the learned DAG who shall file reply and parawise comments in terms of order dated 28.02.2013 before the date fixed.

2. Let the matter be posted for 25.03.2013.


(SHAUKAT AZIZ SIDDIQUI)
JUDGE.

Altaf Malik

Examined
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Subscribed Under Article-8
Serious - Shaukat Order 1987

Form No: HCJD/C-121.

ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Writ Petition No.800/2013

Wahaj us Siraj Vs Pakistan through Secretary, Cabinet Division, etc

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28.2.2013. Mr.Afnan Karim Kundi, Mr.Momin Ali Khan and Mr.Atta Ullah Hakim Kundi, Advocates for petitioner.
Mr.Tariq Mehmood Jehangiri, D.A.G.
Mr.Muhammad Ayub, D.M. Legal.
Mr.Sajjad Latif Awan, D.G. PTA.

In response to notice dated 26.2.2013, Mr.Tariq Mehmood Jehangiri, learned D.A.G, has put appearance and sought adjournment, enabling him to contact the respondents and to file report and parawise comments in the instant writ petition. Learned D.A.G, shall file report and parawise comments within 15 days.

2. Adjourned to 19.3.2013.

C.M.Nos.1, 646, and 647 of 2013.

For the reasons stated in the C.Ms, same are allowed subject to all just and legal exceptions. Disposed of.

C.M.No.2/2012.

Since process of appointment, has already commenced vide advertisement dated 14.2.2013, therefore, propriety demands that process may not be hampered. However, it is made clear that all the appointments made shall be subject to the final decision of this writ petition.

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20/2/13

Examiner

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Authorized Under Article-8

Section-3 Shahadat Order

M.S.Zaki

(SHAUKAT AZIZ SIDDIQUI)
JUDGE.

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

Writ Petition No. 800 of 2013.

Wahaj us Siraj
Vs.
Pakistan through Secretary Cabinet Division, etc.

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26-02-2013. M/s Afnan Karim Kundi, Barrister Momin Ali Khan and Atta Ullah Hakim Kundi, Advocates for petitioner.

From the contents of writ petition and prayer therein, this court is satisfied that, substantial question of interpretation of constitutional law is involved, therefore, notice in terms of Order 27-A, CPC to the learned Attorney General is mandatory.

2 Office is directed to issue notice to the learned Attorney General.

C.M No. 02-2012.

Notice to the respondents for 28-02-2013.

Sd/-
(SHAUKAT AZIZ SIDDIQUI)
JUDGE

*Saeed

Shahbaz
Examiner
Supply Section
Under Article 23
Minister, Shahbaz Qureshi