

**PRESENT:**

Raja Inamullah Khan, Advocate-General for the state.  
Mr. Muhammad Jamil Chaudhary, Advocate for Mirpur Development Authority.  
Mr. Muhammad Younas Tahir, Advocate for Municipal Corporation.  
Mr. Khalid Rasheed Chaudhary, Zulfiqar Ahmed Raja, Raja Waseem Younas, Raja Khalid Mehmood and Mirza Qamar Zaman, Advocates for the applicants.  
Mr. Tahir Mehmood Mirza, Administrator Municipal Corporation in person.

**ORDER:**

On the last date of hearing, the Director General Mirpur Development Authority was directed to complete the process of regularization. In this regard, the District and Sessions Judge, Mirpur and President District Bar Association, Mirpur were nominated to supervise the matter.

It has been pointed out that during the process of regularization of plots the Staff Officer to the Prime Minister through letter dated 05.09.2020 has summoned the record of regularization from the Commissioner, Mirpur Division. The letter has been placed on record by the legal Advisor, Mirpur Development Authority. When this position was confronted to the learned Advocate-General he submitted that he is not aware of the stated letter. He is directed to examine the same and apprise the Court whether this letter has been issued in order to stop the Development Authority from compliance of direction of this Court. He is also directed to examine the contents of the letter and show whether it has been written to undermine the authority of the Court and is an

interference in the administration of justice. He shall also apprise the Court that on whose instructions the letter has been issued.

Raja Khalid Mehmood Khan, Advocate, submitted that the regularization is being conducted in the light of recommendations of Committee made in its meeting dated 20.07.2020. The alleged Committee consists of a Chairman and four members, whereas, the Deputy Commissioner, Mirpur and Administrator, Municipal Corporation, who are members of the Committee, have taken the stance that they are not aware of any such meeting, thus, on the strength of alleged meeting no regularization can be made. He stated that he has also filed a contempt application in this regard. The legal Advisor, Mirpur Development Authority is directed to submit the explanation before next date of hearing.

Meanwhile, in view order of this Court, 1281 plots out of 1696 plots and 144 plots (on the basis of possession) out of 202 plots have been regularized in the light of recommendations made by the Committee. The learned District and Sessions Judge is directed to continue the process of scrutiny of the record and submit report within the extended period. It is also directed that the further process of regularization shall be stopped till further orders, however, the record of the cases in which the notices have been issued before retirement of the Director General Mirpur Development Authority shall be sent by the Development Authority to the District and Sessions Judge, Mirpur.

The learned Advocate-General has also apprised the Court that the job of the Mirpur Development Authority is only to regularize the plots and not to sanction the site plans which in fact is the job of the Municipal Corporation but despite this the site plans are being sanctioned by the Mirpur Development Authority in deviation of municipal laws which amounts to interference in the working of other department. The learned legal Advisor is directed to explain in this regard on next date of hearing. The question as to whether this grievance can be attended in these proceedings shall be dealt with on the next date.

Mr. Khalid Rasheed Chaudhary, Advocate, has also filed an application on behalf of applicants (mentioned therein) for regularization of adjacent land which is necessary to keep the residential houses of the applicants feasible to live. The application has seriously been resisted by the Advocate-General, however, we deem it appropriate to send the same to the Administrator Municipal Corporation, Mirpur for objections.

One Dr. Muhammad Akram Chaudhary has also filed an application for restoration of road stated in the application as per Master Plan. This application is also forwarded to the Mirpur Development Authority for objections. To come for further proceedings on \_\_\_\_\_.

ACTING CHIEF JUSTICE

JUDGE

Mirpur,  
23.09.2020