

IN THE LAHORE HIGH COURT, LAHORE.

W.P. NO. 3967/14

PRESENT MR JUSTICE. TJAZ UL AHSAN.

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Examiner
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Lahore High Court, Lahore

PETITION UNDER ARTICLE 199 OF THE CONSTITUTION
OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973.

PRAY PARTY NAMES ATTACHED.

ORDER P.T.O.

17/5/14

ORDER SHEET**IN THE LAHORE HIGH COURT LAHORE
JUDICIAL DEPARTMENT**

Diary No. 14842-2014

Case No:

W.P.No.3967-2014

Shumaila Malik

Versus

Government of Pakistan etc

S.No. of order/ Proceeding	Date of order/ Proceeding	Order with signature of Judge, and that of parties of counsel, where necessary.
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14.02.2014 Petitioner in person.

Office Objection

The office has raised an objection that a duly executed resolution of the society has not been placed on record.

2. The petitioner, who is present in person, submits that she has filed this petition in her personal capacity also, therefore, a resolution is not required. She has nevertheless placed a copy of the resolution on record.

3. The second objection is that a separate petition needs to be filed by each prayer made.

4. A perusal of the prayers made indicates that all prayers arise out of the same cause of action. Therefore, there is no requirement of filing a separate petition for each prayer made.

5. In view of the foregoing, the office objection is **overruled**. Let the matter be listed for hearing on the judicial side.

6. On the request of the petitioner, the matter is taken up

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Main Case

7. The grievance of petitioner is that despite the fact that she has obtained a decree for dissolution of marriage from the Family Court and a copy of the decree has been furnished to respondents No.4 & 5, they are lingering on the matter without just cause in violation of the law. The attitude of the respondents is resulting in harassment for the petitioner. It is pointed out that the actions of the respondents are not supported by any provisions of a law.

8. Notice to respondents No.4 & 5, who are directed to file a reply to this petition to reach this Court within one week. The Additional Registrar (Judl.) of this Court shall ensure that the notice is communicated to respondents No.4 & 5 within the next three days.

9. Let this matter be re-listed for hearing on 21.02.2014.

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*Amended
Authorized Under Article 87 of
Qanun-e-Shahadat Order, 1984

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In Case No. 3967-14
Examiner: JIS (Writ Branch)
Lahore High Court, Lahore.

(IJAZ UL AHSAN)
JUDGE

Petition No. 7538
Case No. 15/12/14
Date of Presentation of Application
Copy Fee
Urgent Fee
Registration and Filing Fee
Court Fee in App
Total
Name of Copiest
Date of Receipt of File
Date of Completion of Copy
Date of Delivery of Copy

IN THE LAHORE HIGH COURT, LAHORE

Writ Petition No. 3967 /2014

Shumaila

- 1/ Shumaila Malik daughter of Azam Malik, 9A, Askari Flat,
- 2 Insaf Society through Ms. Shumaila Malik its President, 42 Jinah Block, Awan town, Lahore

Askari VI -
Gulberg III,
Lahore.

Petitioner

VERSUS

1. Government of Pakistan through Ministry of Law and Parliamentary affairs and Justice, Islamabad
2. Govt. of Punjab through Ministry of Law and Parliamentary affairs
3. Secretary, Ministry of Local Government, Civil Secretariat, Lahore
4. Administrator, TMA Office, Gulberg, Lahore
5. Secretary I union Council # 99, Gulberg Lahore III, Lahore



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Lahore

petitioner X RESPONDENTS

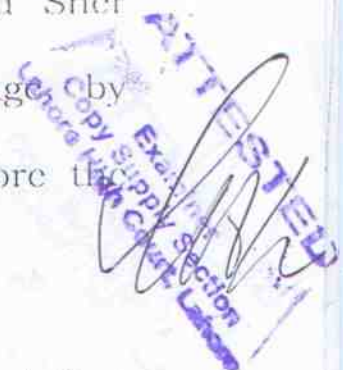
WRIT OF ARTICLE 199 (1) (B)(II) OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 UNDER

Sum

24. That Union councils are only delegated powers to register the marriage, divorce and births record maintaining office and not to hold a trial of divorce (Khula) in their office for dissolution of marriage under Khula the Islamic right of woman in shire.

It is therefore respectfully prayed that act of union councils may kindly be declared illegal, unlawful, unconstitutional, act of corruption and harassment, without lawful authority and an offense of contempt of court for not entertaining final decree by Family Court Mohammad Sher Abbas Awan of dissolution of marriage by repeating the procedure as new trial before the court of non-existed chairman.

It is further respectfully prayed that respondent #3 may be directed to direct administrators to consider the date of dissolution of marriage the date of decree by Family court and register the matter in their records regardless of notifying union council of the final decree of family court in any later date within the three months



It is further prayed that services of all accused employees may be terminated and be punished for offense of contempt of court.

It is further prayed that a direction be issued respondent # 3 to direct all administrators of union councils and Municipal offices to give their staff the education of articles of Local government Act and awareness of their function and powers delegated under the Act and may make a system of check and balance and accountability and may take action directly instead of common man is being forced to approach the higher courts.

Any other relief, which this Hon'ble Court deems fit and appropriate in view of the averments made in the petition may also be awarded for the sake of holding of free and fair election in the country.

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X
PETITIONER IN PERSON

(SHUMAILA MALIK)

