

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-4700 of 2017

Date	Order with signature(s) of Judge(s)
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Present:

Muhammad Ali Mazhar, J.
Agha Faisal, J.

Khawaja Muhammad AsgharVs.....CEO, CBC & Another

30.05.2018

Petitioner Khawaja Muhammad Asghar in person
Mr. Sohail Hayat Khan Rana for respondent No.1
Mr. Salman Talibuddin, Additional Attorney General for Pakistan

MUHAMMAD ALI MAZHAR, J. -- Petitioner present in person argued that he is an Engineer by profession registered with Pakistan Engineer Council (PEC), Islamabad as a Consulting Engineer since 2002. He is also registered as Structural Engineer, Vetting Engineer and Geo-Technical with Cantonment Board Faisal, Karachi and Sindh Building Control Authority. His certificate of registration of Pakistan Engineering Council is attached at page 21, certificate of registration as Proof Engineer in Category "C" of Sindh Building Control Authority is attached at page 49 and certificate of registration issued by Cantonment Board Faisal is attached at page 69. He has also attached a document as Annexure P-8 with is affidavit-in-rejoinder to show that the Cantonment Board Clifton had also issued license of Structural Engineer, Category "B" on 04.02.2009, which was valid upto 31.12.2009. Petitioner argued that the registration certificates issued by Cantonment Board Faisal and Sindh Building Control Authority have been validated after expiry upto 31.12.2018 but he has not attached the said certificates with this petition for the reasons that this petition was filed before the expiry of the said certificates. His grievance through this petition is that he applied to Cantonment Board Clifton for his registration as Civil Engineer in three categories on payment of prescribed fee but his application was rejected, therefore, he filed this petition.

Learned counsel for respondent No.1 had filed statement dated 21.05.2018 and also attached a letter dated 05.08.2015, communicated to the petitioner by Chief

Engineer, Cantonment Board Clifton, intimating him that the Building Committee has not recommended his case for registration on panel of CBC. Learned counsel has also attached copy of CBR No.8 dated 31.07.2015, relating to the proceedings of CBC Building Committee. Item No.8 was to consider the applications received from Architects / Structural Engineers for registration on panel of CBC and some persons were called for interview along with original documents. The record shows that the petitioner was called for interview under his business name M/s. K. M. Asghar Structural Associates but the Building Committee did not recommend his case which offended him to approach this Court.

The record shows that earlier the Cantonment Board Clifton allowed the application and registered the same petitioner but in the year 2015 his application was rejected without providing any reasons. Apparently, the petitioner is registered with the Pakistan Engineering Council and licenses have been issued to him by the Cantonment Board Faisal and Sindh Building Control Authority, now the matter is related to the Cantonment Board Clifton where his application was rejected without assigning any reason. The petitioner agrees to apply afresh to the Cantonment Board Clifton and after filing his application along with all the relevant documents and complying with all requisite formalities his application shall be processed and submitted in the next meeting of the Building Committee. The Chief Engineer, Cantonment Board Clifton will expedite the process so that an opportunity of interview may be afforded to the petitioner, thereafter, his application may be decided as per relevant rules and regulations.

Petition is disposed of in the above terms.

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Gulsher/PS