



**CAPITAL DEVELOPMENT AUTHORITY
PLANNING WING
Directorate of Housing Societies**



No. CDA/PLW/HS(90)/MPCHS/93/Vol-III/ 171

Islamabad, 30th April, 2026

✓ **Mr. Rao M. Aslam,**
President,
M/s Multi Professionals Cooperative Housing Society,
Multi Mansion, G-8 Markaz, Islamabad.

Subject:- FINAL SHOW CAUSE NOTICE FOR ILLEGAL CONVERSION OF PUBLIC AMENITY PLOTS, TRANSFERRED IN THE NAME OF CDA, IN "TELE GARDENS HOUSING SCHEME", SECTOR F-17, FATEH JANG ROAD, ZONE-2, ISLAMABAD, SPONSORED BY M/S MULTI PROFESSIONALS COOPERATIVE HOUSING SOCIETY.

Ref:-

- i. This office letters dated **05-8-2011, 17-01-2023 & 05-5-2025,**
- ii. **FIA's** letter No. 2048/25/CV/AZ/RCC/NABR/145/6096, dated 02-6-2025 & 17-6-2025
- iii. **NAB's** letter No. FIA/ZHK/CCC/E-57(23)/2025/1481, dated 29-12-2025 regarding the subject matter.

It is informed that CDA, on **18-02-2005**, approved the Layout Plan (LOP) of the Housing Scheme namely "**Tele Gardens**" in Sector F-17, Fateh Jang Road, Zone-2, Islamabad, sponsored jointly by M/s Multi Professional Co-operative Housing Society (MPCHS) and M/s Telegraph & Telephones Employees Cooperative Housing Society (T&T ECHS) over an area of **2,751 Kanals** [993 Kanals of T&T and 1758 Kanals of MPCHS] and comprising of 2,386 residential plots of different sizes (Copy attached). Accordingly, the Land measuring 836 Kanals & 16 Marlas, under Roads, Parks, Graveyard & Public Buildings were Transferred in the name of CDA vide Transfer Deed dated 24-6-2005, by M/s MPCHS. Subsequently, No Objection Certificate (NOC) for development of Tele Garden Housing Scheme issued on 30-01-2008, by CDA, subject to conditions mentioned in the NOC letter.

2. M/s MPCHS being Sponsor of the Scheme, were required to complete certain conditions & formalities within prescribed timeframe as per the provisions of Modalities and Procedures, framed under ICT (Zoning) Regulation 1992, for Development of Private Housing Schemes in ICT. The Completion Period of the Scheme was 5 years, i.e. the Development of Infrastructure Works in the scheme were to be completed by **30-01-2013**. However, M/s MPCHS have failed to complete the Development Works, **as per Approved LOP**, and obtain the Completion Certificate, in spite of lapse of about **17 years**.

3. During Site Visit of the Scheme, it was observed with grave concern that the Management of MPCHS has committed serious Violations of the Approved Layout Plan. M/s MPCHS has violated the Approved Layout Plan and **Illegally Converted** the sites reserved for Parks, Graveyard & Public Buildings, Transferred in the Name of CDA, vide aforementioned Transfer Deed, into other uses without prior Approval of CDA. The details of **Illegal Conversions** are as under:

Sr. No.	Land Uses as per Approved LOP	Location	Area (Kanal)	Land Uses on the Ground
1.	17 th Avenue	Street No. 20 & 22	46	Residential
2.	Green	North, toward Blue Area	129	Residential
3.	Park	Street 40 & 41	1.43	Residential
4.	Playground	Street 50	14.32	Residential
5.	Green Pocket	Street 3	-	Residential
6.	Green Pocket	Street 3 & 4	-	Residential
7.	Green Pocket	Street 4 & 5	-	Residential + OHWT
8.	Green Pocket	Street 5 & 6	-	Residential
9.	Green Pocket	Street 6 & 7	-	Residential
10.	Green Pocket	Street 7	-	Residential
11.	Green Pocket	Street 8	-	Residential
12.	Green Pocket	Markaz Road	-	Residential
13.	School for Boys	Street 19	22.90	Not in Possession/ Undeveloped
14.	Water tank	Street 15	1.76	Masjid & Residential
15.	Post Office	Zero-point Commercial Area	0.77	Multi Office
16.	Community Club	Zero-point Commercial Area	5.78	Parking
17.	School	Street 42, 43 & 50	9.11	Residential

The issue has already been taken up by **NAB and FIA**, vide above referred letters.

4. The Honorable Islamabad High Court, Islamabad, in its **Judgement in WP 1777/2011**, titled "Muhammad Raza vs Jammu & Kashmir Co-operative Housing Society" dated **28-5-2012**, Ordered as under:

In view of above discussion, the petition is allowed and the respondents are directed to act strictly in accordance with **Approved Layout Plan, dated 25-4-2002** of the Jammu & Kashmir Housing Society. The respondent No. 2 CDA shall ensure the **Development of Housing Scheme in accordance with said Approved Layout Plan** and any violation shall be dealt with under the CDA rules by the respondent CDA.

ICA 301-W/2012, titled "Jammu & Kashmir Co-operative Housing Society vs Muhammad Raza", filed against the above Judgement was **Dismissed**, on **09-5-2013**.

Civil Petition 863/2013, titled "Jammu & Kashmir Co-operative Housing Society vs Muhammad Raza" filed against the above Judgement, was Withdrawn by the Society, from the **Supreme Court of Pakistan**, on **19-9-2013**.

The Honorable Islamabad High Court, Islamabad, in the **CMs in ICA 301-W/2012**, titled "Jammu & Kashmir Co-operative Housing Society vs Muhammad Raza", also Dismissed on **06-12-2018**, as under:

2. Keeping in view the above background, **there is no denial to the proposition that the Society has made havoc in the entire Layout Plan and continuously violating CDA Bye laws** and CDA has not taken complete action against the Society in accordance with CDA bye laws. The Society in connivance with present applicants started new litigation process despite the [net that the matter has already been agitated and settled up to the Apex Court and all these proceedings me well in the knowledge of the applicants as well as of the Society.

3. The only question to be answer by this Court is as to whether the applicants should have been told by the Society or not? In our humble view, it was duty of the applicants to verify all approvals from the Society, which is in league with the applicants as such the Society allow them to raise construction on those plots, which are only meant for Amenities Plots, especially when Public Notice was issued by CDA in different Newspapers, in which approval of Layout Plan and Amenities Plots has been explained. Similarly, resident of the Society time and again raised their voices in different newspapers as well as in Courts, therefore, by no stretch of imagination, the applicants can hide behind their ignorance and can claim that they have not been informed in an individual case. It is responsibility of the applicants as well as the Society to construct any building or made the Investment in accordance with Layout Plan and any legality committed by the Society or the applicant does not give rise to any exception that 3rd Party rights have been created.
5. Apparently, no fraud or misrepresentation with this Court has been committed in obtaining the judgment dated 09-5-2013, passed in the ICA, therefore, for the reasons stated above the titled CMs have not merits, hence, the same hereby Dismissed.

5. The Honorable Islamabad High Court, Islamabad, in its Judgement in Crl. Org. 397-W/2013, titled "Muhammad Raza vs Nadeem Hassan Asif", dated 05-11-2015, Ordered as under:

Writ Petition as well as Review Petitions filed by Jammu and Kashmir Housing Society have been dismissed today. CDA Officials are directed to remove all those Mischiefs observed by them on their visit in compliance with decision of this Court dated 28-5-2012. The C.D.A has taken a stance that due to filing of Writ Petitions and Review Petitions they could not take action is not justifiable. They are therefore, directed to take Stern Action for Removal of all those Constructions Raised beyond the Layout Plan by adopting Coercive Measures Including taking on board the Registrar, Cooperative Housing Society to keep their operation within four corners of Layout Plan as earlier directed. The compliance report shall be submitted within a period of 15 days. In case the efforts are not made the officers shown as contemnors shall appear in person before the Court on the next date of hearing, which is to be fixed by the office.

ICA 488/2015, titled "Jammu & Kashmir Co-operative Housing Society vs. Muhammad Raza, etc." against the above Judgement was Dismissed by the Honorable Islamabad High Court, Islamabad on 19-11-2015.

Criminal Petition 923/2015, titled "Jammu & Kashmir Co-operative Housing Society vs Muhammad Raza" was Dismissed by the Supreme Court of Pakistan, on 04-01-2016 as under:

"The judgement of the learned High Court dated 28-5-2012 has attained finality. No case for interference has been made out, Dismissed accordingly".

6. The Honorable Islamabad High Court, Islamabad, in its Judgement in WPs 2929, 2930, 2931, 2932, 2933, 2934/2013 & 4303/2012, dated 29-4-2016, Ordered as under:

"Hence in view of above referred case laws, I am of the view that respondents have violated procedure provided in Modalities & Procedures framed under ICT (Zoning) Regulations, 1992 for Development of Private Housing Schemes in Zones Two & Five of Islamabad Capital Territory Zoning Plan as respondents are bound by their Undertaking submitted before the CDA as they will never convert, relocate or modify the Layout Plan without prior proper Approval, even in this case they started Conversion and at the same time they have submitted the Revised Layout Plan, hence, they have adopted Illegal Procedure as there is no concept of Ex-Post Facto Approval rather they have to get the Revised Layout Plan at the first instance and then start Relocation or Modification only in the larger interest of public if allowed by the CDA .

Even otherwise the respondent Society has violated the terms of its Undertaking which was submitted before CDA, respondents have developed monetary interest against the public at large, and all actions under the so-called modification, relocation are made against the public interest, Public Amenity plots cannot be changed for any purpose. Hence, the actions of Relocation, Modification of Residential Plots or Commercial Plots in Violation of Approved Layout Plan are hereby declared Illegal".

The above Orders have been upheld by the Honorable Islamabad High Court in ICA 263-269/2016, on 19-5-2016, and Supreme Court of Pakistan in CP 3221-3227/2016 on 09-01-2018, and thus have attained Finality.

7. Full Bench of Honorable Islamabad High Court, Islamabad, in its Judgment, in WP 676-2017, titled "Shahzada Sikandar-ul-Mulk vs CDA" dated 09-7-2018, has declared at Para-41 that:

- Construction of houses or buildings of any nature, whether in the "Golra Revenue Estate" or the area comprising "Bani Gala" which have been or are intended to be constructed in Violation of the Master Plan, the Ordinance of 1960, the Zoning Regulations of 1992, the Ordinance of 1966 and the Wildlife Ordinance of 1979, as the case may be, are Illegal, without Lawful Authority and Jurisdiction and thus liable to be Demolished as mandated under the Ordinance of 1960 and the regulations made there under.
- None of the respondents have been able to place on record any document which would establish the legality of their building.
- **The Authority is the Sole and Exclusive Regulator and the Union Councils were not vested with Authority to grant any Approval, Contrary to or in Violation of the Ordinance of 1960 and the Regulations, made there under.**
- We also declare that in case of any violation, the Chairman and each Member of the Authority shall be jointly and severally liable for breach of duties and obligations imposed under the Ordinance of 1960.
- The Chief Commissioner, Islamabad Capital Territory shall be equally responsible if the legal framework in the un-acquired areas is violated.
- **We also declare that the Authority is the Exclusive and Sole Regulator and the provisions of the Ordinance of 1960 and the Regulations made there under are attracted in the case of a Private Housing Authority established in any part of the Islamabad Capital Territory.**

The Supreme Court of Pakistan, in Civil Petition 3491/2018 & several others, filed against above Orders of the Full Bench of Honorable Islamabad High Court, Islamabad, dated 09-7-2018, has ordered as under on 17-9-2018:

"Having heard the learned council for the parties, we do not find that the impugned judgment suffers from any factual or legal errors; rather we concur with the said judgment that all the construction raised in areas of Mouza Bani Gala and E-11 are without authorization and for this reason the learned High Court has rightly provided mechanism to regularize the un-authorized construction on these properties. Obviously, this mechanism also caters to the grievance of the petitioner before us. Resultantly, we direct that CDA should immediately proceed with the mechanism so provided and examine and deal with buildings constructed in these areas strictly in accordance with the principles laid down in Capital Development Authority v/s Abdul Qadeer Khan (1999 SCMR 2636) and the recommendations made by the learned High Court in the impugned judgment thereby to resolve the issue. Periodical progress reports be filed in this court after an interval of two months. In the meantime, properties already constructed shall not be demolished by CDA but no person shall be entitled to raise new construction by an inch or lay a brick from this day onwards. All those properties which are sealed shall remain sealed and any person who violates or breaks such seal shall be held for contempt of court on account of disobedience of the Court's order. These matters are accordingly disposed of."

8. The Islamabad High Court, Islamabad, in its Judgment in ICA 289/2018 [in WP 1141/2011] titled "Muhammad Akbar Abbasi vs CDA", ordered on 03-6-2024, as under:

6. The appellants are the allottees of plots / units allotted by the CECHS with respect to an area which does not form part of an approved layout plan. It is incumbent on a purchaser to satisfy himself that the plot / unit being purchased by him is within the limits of the layout plan duly approved by the CDA. **It is also incumbent on a Housing Society not to Sell Plots or Units which do not form Part of an Approved Layout Plan. In the event, the Regulator is to carry out the Penal Measure of Demolition of Structure made in Violation of the Approved Layout Plan, it is the Housing Society that would be liable to pay Damages to the Allottees.**
7. We have gone through the impugned judgment dated 17-5-2018 passed by the learned Judge-in-Chambers with great interest and keenness and have been given no reason to interfere with the same. Consequently, the instant appeal is dismissed. There shall be no order as to costs.

9. The Islamabad High Court, Islamabad, in its Judgment in ICAs 83/2017, 84/2017, 20/2018 & 21/2018, in its Order dated 12-7-2018, Paras-20 & 21 of which is re-produced as under:

20. In view of above background and latest position of law in general, we are of the view that judgment passed by the learned Single Judge in Chambers is within four corners of law and no illegality has been observed, therefore, the same is upheld. However, it is made clear that CDA authorities shall:

- i) Take action under the law against the delinquents (individuals) as well as societies (including Bahria Town and MPCHS) and its Officers/Officials/Directors, for Non-compliance of above referred SOPs/Guidelines, Rules, or Regulations, therefore, the CDA Authorities shall issue a publication in two daily newspapers, English and Urdu, with the direction to the **Housing Societies/Individuals to get the Approval of their Construction from CDA Authorities** as referred above, whereupon NOC shall be issued to all those individuals after fulfilling codal formalities subject to Rules and Regulations;
- v) **Start Taking Actions against Societies who have Violated the Approved Layout Plan or Changed the Public Utility Areas such as Mosque, Playgrounds, Post Office, School, Parks, Parking, etc.**
- vii) CDA authorities shall maintain overall supervisory control upon all Societies in every manner and **being Regulator and act in accordance with CDA Bye-laws.**

21. Besides the above referred directions, it is further made clear that:

- i) All Societies including Bahria Town, MPCHS or any other Society shall pay all charges, amounts, fee received against approval of construction plan from their allottees to CDA within three (03) months and shall submit each case before CDA for their approval.
- ii) **Any Society, who is not Complying the CDA By-laws, Directions issued from time to time or their NOC, the Layout Plan shall be Cancelled after giving due Warning in accordance with Law, where after CDA shall take over the such Society including their Assets and Bank Accounts Managements with the help of ICT Administration, Federal Government, Ministry of Interior, Chairman CDA, Mayor Metropolitan Corporation Islamabad, all CDA Officials.**
- iii) **Chief Commissioner, Deputy Commissioner, Inspector General of Police, SSP Islamabad, concerned SHO, and Magistrates are Directly Responsible for Compliance of CDA By-laws as well as Directions referred in this Judgment.**

21-A. In view of above, it is held that **every member of Housing Society or the Society itself shall get Approval of Construction from the CDA in accordance with Law**, after fulfilling all the Codal Formalities, where after CDA shall issue NOC accordingly.

10. The Islamabad High Court, Islamabad, in WP 1189/2016, titled Mustaneer ul Hasan vs CDA, Ordered on 31-12-2018 as under:

25. .. "Layout Plan" means a detailed Land Use Plan, once it has been given approval after due deliberations and considering the planning parameters of the Town Planning, No Revision is permissible under the law and if CDA allows any such permission, the same amounts to negate the original concept, **which was used by the Sponsors to attract different individuals for their investment in the Scheme.**

Respondents No. 2 & 3 argued their case on the strength of their proposed **Rectified Layout Plan** submitted before this Court in which they have **created extra plots of Residential and Commercial Nature and Converted the Amenity Plots at their own end and surprisingly MVHS has created 3rd Party Interest on ground without any Approval of the CDA, which is Serious Violation and such illegality cannot be allowed to perpetuate, failing which the entire Scheme and Rights of Citizens, who are living in Sector D-17, shall be Infringed**, therefore, the instant writ petition is ALLOWED in the following terms:

- i. **All the Changes, which were made by respondents No. 2 & 3 in the Original Layout Plan are illegal and in Violation of ICT (Zoning) Regulations, 1992, therefore, if any right has been created in favor of 3rd party upon the Amenity Plot is also illegal.**
- ii. **CDA/respondent No. 1 shall ensure the Restoration of Amenity Plots as per Approved Layout Plan.**
- iii. **CDA is directed to implement the Chapter-IV Penalties for Violations with reference to Section-5 of the Regulations and shall take all other Appropriate Actions.**

11. The Honorable Islamabad High Court Islamabad, in its Judgment in WP 1662/2018, titled "Toquir Ahmad, MD Des Pardes vs CDA", dated 11-5-2018, Ordered as under:

"CDA Authorities are directed to visit all the Societies and Verify the Credential of All Utility Plots, Service Areas, Parking Lot, which belong to CDA under the Layout Plan (LOP) or under the NOC granted to the Society, and if it is found that any Illegal Structure has been raised on the Amenity Plots by the Society or any 3rd Party, they can proceed in accordance with Law without taking any exception and Director Building Control, CDA as well as Director Societies, CDA shall also issue Warning Notice to all the Societies and their Executive Bodies to comply with the CDA Bye-laws in Letter & Spirit."

12. The Honorable Islamabad High Court, Islamabad, in the WPs 2765/2019, 2766/2019, 3108/2019 & 3111/2019, titled "Bahria Town (Pvt.) Ltd. vs CDA", Ordered on 26-9-2019, as under:

4. On 30-8-2000, the CDA approved the layout plan for Bahria Town Scheme comprising Phase-II, III, V and VI (excluding Phase- II-E, IV and VI-E), at Mouza Kotha Kalan. Zone-5. Islamabad. On 23-11-2018, the petitioner submitted an application to the C.D.A. for the approval of the **Revised Layout Plan** for the said scheme.
7. It was confirmed by the learned counsel for the petitioner that the development activity carried out by the petitioner with respect to the above-mentioned housing Schemes were in accordance with the Revised Layout Plans which had not been approved by the CDA. Thus far, I am of the view that the **petitioner's conduct in carrying out developmental activity in accordance with Revised Layout Plans which had not been Approved by the CDA disentitles it from relief in the Discretionary/Equitable Jurisdiction of this Court.**
8. In view of the above, the abovementioned **Writ Petitions are Dismissed**, with no order as to costs.

13. The Honorable Islamabad High Court, Islamabad, in its Judgement in WP 4018/2021, titled "Fawad Zafar Cheema vs FoP" Ordered on 14-6-2022, as under:

5. **Nonetheless, the 43 buildings, each consisting of seven stories, have been constructed illegally and in Violation of the Enforced and Governing Laws i.e. the Ordinance of 1960 and the regulations made thereunder.**
8. **They are definitely not entitled to any equitable relief because, admittedly, they chose to construct 43 buildings, each consisting of seven stories, in violation of the enforced laws and regulations made thereunder. They cannot claim that a right has accrued in their favor on the basis of violation of the enforced laws.**
In the case in hand, no right has accrued in favor of the petitioners on the basis of illegal construction of 43 buildings, each consisting of seven stories. The petitioners can definitely not take the stance that ignorance of law may be treated as an excuse. The petitioners cannot be allowed to take benefit on the basis of abuse of the enforced laws.
9. For the above reasons, no case is made out for issuance of a writ under Article 199 of the Constitution and, therefore, the petition is accordingly **Dismissed**.

14. The Honorable Islamabad High Court (IHC), Islamabad, in Cr. Org. 73/2023, titled "Muhammad Yameen vs Kamran Cheema" passed following Orders on 15-4-2025:

9. Therefore, in order to resolve this issue, it is hereby declared that the Secretary, Cooperative Societies Department, the Director (Housing Societies), CDA, and the Circle Registrar, Cooperative Societies Department, are obligated to verify that in future no plot shall be allotted beyond the approved LOP to any person in the society. Similarly, the Executive Committee of the Society shall submit an **Undertaking before the CDA and the Cooperative Societies Department when applying for the approval of the LOP/NOC, affirming that they will only allot plots within the approved LOP and that subsequent conversion of any street or plot number is not permissible once it has been allotted, provisionally or otherwise as per map of the society. Furthermore, the society shall not incorporate any clause in the provisional or final allotment letter stating that "they are empowered to change the location or number of the plot," as the power for conversion of any plot or street number, or the shifting of the location of a plot, is not permissible once the LOP has been approved and the plots are earmarked.**

15. Islamabad High Court, Islamabad, in its orders dated 04-8-2025, passed in WP 4043/2024, titled "Muhammad Anwar Ch. etc. vs CDA", has directed as under:

15. In view of above, the instant Writ Petition No. 4043 of 2024 is Allowed. The impugned **Revised Layout Plan** dated 21-3-2023, passed by CDA is declared to be Illegal, without lawful authority and of No Legal Effect, and is hereby Set Aside. The respondents are directed to Restore the Layout Plan of CBR-ECHS Phase-1 to its Original Form as approved on 24-02-2007. The CDA is further directed to ensure that **No Amenity Plots, Green Areas or Public Utility Spaces are Converted to Residential**

Commercial Usage in Violation of Applicable Laws and Regulations, and that the Rights of the Residents are Safeguarded in future with no order as to costs.

16. Islamabad High Court, Islamabad, in its Judgement dated 15-01-2026, in WP 2328/2025, titled "Javed Akhter vs Chief Commissioner, ICT, Islamabad", ordered as under:

4. The learned State Counsel submitted on behalf of the Respondent Nos. 1 and 2 that the core grievance of the Petitioner, concerning the alleged illegal modification of the Master Plan and the conversion of amenity plots, is fundamentally misdirected against the Respondent Nos. 1 and 2. It is contended that the statutory mandate for the approval, supervision, and amendment of the Layout Plan (LOP) and Master Plan vests exclusively with the Capital Development Authority (CDA), i.e., Respondent No. 3. The administrative functions of Respondents Nos. 1 and 2, under the Cooperative Societies Act, pertain to registration, oversight of society management, and dispute resolution among members, not to urban planning or spatial zoning

16. The State Counsel for Respondents No. 1 & 2 (Chief Commissioner and the Registrar) is correct to assert that their role does not extend to urban planning. The CDA is also correct that plot allotment is not within its domain and that Plot No. 34 is not part of any approved LOP. However, this very admission by CDA underscores the core of the problem, societies are operating in a lawless zone, allotting unapproved plots. The regulatory failure to prevent this does not absolve the primary wrongdoer, FECHS.

18. This relief engages the core regulatory mandate of the CDA and the sanctity of the 2023 Settlement. The report submitted by CDA is damning. It catalogues systematic, large-scale illegal conversions of amenity plots (parks, playgrounds, schools, hospitals, graveyards) into residential and commercial plots by FECHS and NASECHS. The CDA's own LOP stands cancelled, and its notices and penalties have been ignored. This is not a minor infraction, it is a fundamental subversion of urban planning laws, defrauding the public and allottees. The CDA, as the statutory planning authority, has a non-derogable duty to enforce its regulations and retrieve public land.

19. ... On the issue of convergence of interests, the Petitioner's grievance and the CDA's statutory duty perfectly align. The illegal conversions complained of by the Petitioner are the same illegal conversions the CDA is mandated to stop and reverse. Thus, the actions of Respondents No. 4 (NASECHS) and 5 (FECHS) in converting the commercial area and amenity plots (specifically the park adjacent to Plot No. 34) into residential plots are illegal, being in violation of the cancelled/withdrawn LOP and the ICT Zoning Regulations; Fraudulent, as they sell land earmarked for public use; and in contempt of the Mutual Settlement dated 10.06.2023 endorsed by this Court.

20. For the foregoing reasons the petition is partly allowed in the following terms:-

(a) The petition against Respondent No. 4 (NASECHS) is dismissed to the extent of issuance of NDC for Commercial Plot No. 34.

(b) Respondent No. 5 (FECHS) is directed to issue the No Demand Certificate (NDC) for Commercial Plot No. 34 to the Petitioner within thirty (30) days.

(c) The Respondent No. 3 (CDA) is directed to take immediate and concrete action in light of its own report. It shall:

(i) Ensure strict compliance with its notices for the restoration of all amenity plots (parks, schools, hospitals, graveyards, etc.) as per the original approved Layout Plan in the Jinnah Garden schemes.

(ii) Specifically, ensure that the area surrounding Commercial Plot No. 34, particularly the park mentioned in the 2018 affidavit (which forms part of the 2023 Mutual Settlement), is restored and maintained as a park/open space. No residential plot shall be created or sustained in that designated area.

(iii) Expedite the recovery of outstanding penalties and proceed with the retrieval of CDA's land as per law. A compliance report detailing the actions taken pursuant to these directions shall be filed before the Registrar of this Court within ninety (90) days.

(d) Respondents No. 4 (NASECHS) and 5 (FECHS) are hereby restrained from creating any new plots, selling, or undertaking any construction on the land earmarked for amenities (parks, open spaces, etc.) in the original layout, and specifically on the land

surrounding Plot No. 34 as defined in the 2015 possession letter and the 2023 Mutual Settlement. 21. Before parting with the judgment, this Court deems it appropriate to observe that the Petitioner, a senior citizen and retired JCO, has been compelled to run from pillar to post for over a decade to secure his legitimate rights. This ordeal underscores the urgent need for effective oversight and stricter regulation of cooperative housing societies. The Respondents No. 1 & 2 (Chief Commissioner and the Registrar, Cooperative Societies) and the Capital Development Authority (CDA) must enhance their coordination to ensure that such societies function within the bounds of the law and are not permitted to operate as autonomous entities beyond the reach of statutory control.

17. Therefore, under the provisions of Section 49-C, 46 & 46-B of the CDA Ordinance 1960 [Demolition/Removal of Work/Structure/Building and Stoppage of Use of Land in Contravention of the Approved Layout Plan], read with, Clause-5 (1) & (iii) of the ICT (Zoning) Regulation, 1992 and Clauses 40-42 of "the Regulation for Planning and Development of Private Housing/Farm Housing, Apartments/Commercial Schemes/ Projects in Zones-2, 4 & 5 of Islamabad Capital Territory, 2023, framed under ICT Zoning Regulations, 1992", M/s MPCHS. are directed to:

- a. Remove, demolish or alter the building, structure or work, or stop the use of the land and, in so doing, may use such force including police force as may be necessary and may also recover the cost therefor from the person responsible for the erection, construction or use of the building, structure, work or land in contravention of the provisions as aforesaid, reading the Buildings constructed on the Land/Plots Transferred to CDA, in 7 days, without Excuse & Fail.
- b. CDA shall assume the Possession of Land/Plots Transferred to it and lying Vacant at site

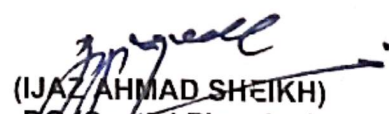
18. The Following **Punitive Actions**, in addition of above, may also be initiated against you being **Defaulting Sponsor**:

- a. **Cancellation** of Approved Layout Plan
- b. The Case may be referred to the Investigating Agencies like **NAB, FIA**.
- c. **Suspension** of Approval of Building Plans of your Scheme by CDA.
- d. **Sealing** of your Society Offices & Site Offices.
- e. Suspension of Processing/ Approval of other cases of M/s MPCHS, being defaulter of CDA

19. M/s MPCHS is further directed to get the all the plots of Public Amenities (Parks/ Play Grounds/ Open Spaces/ Public Buildings etc.) vacated, and restore it as per the **Approved Layout Plan**, and submit a **Compliance Report** in this regard, **within 7 days** of issuance of this Notice. In case of Failure to do so, CDA will Retrieve/Take Over the Land/Plots Transferred in the name of CDA, along with Buildings/Superstructures, Illegally Allotted & Built.

20. You are also provided an Opportunity of **Personal Hearing**, in your Defense (if any), in the Office of the undersigned, during Working Hours, within **7 days**.

21. This is issued without prejudice.


(IJAZ AHMAD SHEIKH)
DG (Spatial Planning)
Director Housing Societies

Distribution:-

1. **Dy. DG (Enforcement), CDA**

[It is requested to make necessary arrangements, on expiry of Notice period, for taking over of Vacant Land/Transferred to CDA and demolition/removal of buildings/structures constructed in violations of Approved LOP on the Land/Plots earmarked for Amenity/Public Building Areas, in co-ordination of this Office, Directorates of EM-III & Building Control (South), CDA, with the approval of the Competent Authority, under Section 49-C of CDA Ordinance 1960, Clause 5(i) of ICT Zoning Regulations 1992, Clause-3(2) read with Schedule-II, Part-VI (2&3) of CDA Conduct of Business Regulation, 1985].

2. **Director Building Control (North), CDA**

[It is requested to initiate action for demolition/removal of the Illegal buildings/structures constructed, in violations of Approved LOP on the Land/Plots earmarked for Amenity/Public Building Areas transferred in the name of CDA, with the approval of the Competent Authority, under the provisions of Section 49-C of CDA Ordinance 1960, the Pakistan Capital Regulation (MLR) 1982, Clause 5(i) ICT Zoning Regulation 1992 and relevant Clauses of Islamabad Capital Territory Building Control Regulation 2020 (amended in 2023)].

3. **Director Housing (Monitoring & Evaluation), CDA**

[It is requested to proceed further in compliance of the Job Description Notified by Member (P&D), CDA, vide No. CDA/PS/M(P&D)/2023/9034, dated 10-8-2023, on the directions of CDA Board (copy attached)]

4. **Dy. Director-III (HS-III), CDA**

[He is directed to initiate stern action against the Management of the Society for the Violations of LOP, as aforementioned, and submit Report, regularly].

Copy to:-

1. Member (P&D), CDA

2. Deputy Commissioner, ICT/Registrar Co-operative Societies, Islamabad.

3. DG (Law), CDA

4. DG (Building & Housing Control), CDA

5. **Director (I,T), CDA**

[It is requested to Upload this Show Cause Notice on CDA Website for Awareness of the General Public & All Stakeholders]

6. Director Staff to the Chairman, CDA

7. DC, CDA/Sr. Special Magistrate, CDA

8. PS to Member (Estate), CDA

9. Master File


(ARSLAN ABBAS)
Dy. Director-III (HS)