

**IN THE HONORABLE ISLAMABAD HIGH COURT**

Writ Petition No. 1352 /2014

Examiner  
Copy Supply Section  
Islamabad High Court  
Islamabad

**Khawaja Saad Saleem**, son of Khawaja Saleem-ud-Din, resident of House 60-A, Street 2, Sector E-7, Islamabad, bearing CNIC No. 61101-9357551-1.

....Petitioner

**Versus**

1. **Federation of Pakistan**, through Secretary of Ministry of Information and Technology, 4<sup>th</sup> Floor, Evacuee Trust Complex, Agha Khan Road, F-5/1, Islamabad.
2. **ICT R&D Fund**, through its Chairperson, Ms. Anusha Rehman, Ministry of Information and Technology, 4<sup>th</sup> Floor, Evacuee Trust Complex, Agha Khan Road, F-5/1, Islamabad.
3. **Mr. Naeem Zamindar**, Chief Executive Officer, Wateen Telecom Limited, 4<sup>th</sup> Floor, New Auriga Complex, Main Blvd. Gulberg II, Lahore.
4. **Dr. Mahmood Ashraf Khan**, Director, Center for Advanced Studies in Telecom COMSATS, Headquarter Building, 9 Shahrah-e-Jamuriat, Sector G-5/2, Islamabad.
5. **Mr. Muhammad Nasrullah**, Chief Business Operations Officer, PTCL, Pakistan Telecommunication Company Limited, Headquarters, G 8/3, Islamabad.
6. **Mr. Hyder Abedi**, Director Mobilink, 78 E, Redco Plaza, Jinnah Avenue, Blue Area, Islamabad.
7. **Mr. Akbar Jamal Shaukat**, Program Director (Managing Partners), CNS Group of Companies, Rawalpindi.

....Respondents

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

Filed to-Day-After 11:00 A.M.

D. No.

3849





**ORDER SHEET**

**ISLAMABAD HIGH COURT**  
**ISLAMABAD**

W.P. No. 1352 of 2014

**Khawaja Saad Saleem**  
Versus  
**FOP, etc**

S. No of order / Proceeding	Date of order/ proceeding	Order with signature of Judge, and that of parties or counsel, where necessary.
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01-04-2014.

**Mr Babar Sattar, advocate for the petitioner.**

Contention of learned counsel for the petitioner is that the Federal Government has only discretion to appoint the Board of National ICT R&D Fund. For the constitution of the Board, there is particular procedure, which is to be followed, but in the present case, neither the procedure was followed nor the rules. The Federal Government has violated the rules. It has further been submitted that the basic purpose of whole exercise is to use fund of the Board in illegal manner. It has also been submitted that even the previous government had carried out the same exercise and the matter was taken up before the Hon'ble Supreme Court of Pakistan.

2. In the circumstances, call for the comments of the respondent No.1, so as to reach this Court within a fortnight.

**C.M. No. 02 of 2014.**

Notice. In the meanwhile, the Board would run day today affairs but would not take major decision till next date.

**C.M. No. 01-E of 2014.**

Exemption sought for is allowed, subject to all just and legal exceptions. C.M. stands disposed of.

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04-4-14  
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Authorized by article-87 of  
Qanoon-e-Shahada: Order 1984  
Islamabad High Court  
Islamabad

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**(RIAZ AHMAD KHAN)**  
JUDGE