

Form No:HCJD/C-121
ORDER SHEET
IN THE LAHORE HIGH COURT LAHORE
JUDICIAL DEPARTMENT

Case No. W.P. No.227807/2018

Haroon Farooq **Versus** Government of Punjab, etc

S.No.of order/ Proceeding	Date of order/ Proceeding	Order with signature of judge, and that of parties or counsel, where necessary.
---------------------------------	---------------------------------	--

14.04.2022

Mr. M. Imran Malik, Advocate for the applicant.
Mr. Faizullah Khan Niazi, Advocate vice counsel for the petitioner.
Syed Kamal Ali Haider and Mis. Hina Hafeezullah Ishaq Advocates/Members of the Judicial Water Commission.
Mr. M. Azhar Siddique and M. Yasin Hatif Advocates for petitioners in connected petitions.
Mr. Belal Awais, Advocate for PHA.
Mian Irfan Akram, Advocate for WASA.
Mr. Shezada Mazhar, Advocate for DHA, Multan.
Mr. Sahibzada Muzaffar Ali and Afsar Raza Khan, Advocates for the LDA.
Mr. Altaf ur Rehman Khan Advocate for DHA.
Sardar Balakhsher Khosa, Advocate for Cantonment Board.
Mr. Ahmed Pervaiz Advocate for the applicant.
Mr. Ehsan Ullah Manj, Advocate for Walton Cantonment Board.
Mr. Asad Ali Bajwa, Deputy Attorney General.
Mr. Anis Ali Hashmi, Addl.A.G. Salman Alam Khan, A.A.G with Chief Engineer TEPA and Muhammad Nawaz Manik, Director Law EPA.
Mr. M. Umer Hayat Law Officer on behalf of Commissioner Lahore Division.
Mr. Ali Ejaz Deputy Director EPA.

ATTESTED
Copy of the order
Lahore High Court, Lahore

C.Ms.No.05 & 07 of 2022

This application has been filed in W.P. No.227807 of 2018 and raises important question which ought to be decided separately. For the purpose this application is converted into a constitutional petition and the office

shall number it accordingly and fix it before this Court on 19.04.2022.

MAIN CASE

2. Report has been filed by the Members of the Commission which refers to the progress made with regard to treatment plants in Sunder Industrial Estate. Further with regard to water wastage challans, it has been informed by the learned counsel for WASA that teams have been constituted for each zone to monitor the wastage of water by the service stations as well as showrooms while washing cars. Report has also been filed by the Municipal Corporation Lahore regarding progress on setting up of pushcart bazars. The Members of the Commission informed that strips of roads have been identified for the purpose of which all stakeholders agree. Further steps will be taken by the MCL in this regard and shall be informed to this Court on the next date of hearing. The compliance report shall also be filed by the Deputy Commissioner, Lahore as well as Members of the Commission regarding implementation of the order of Supreme Court's judgment on Qingqi Rickshaws.

ATTESTED
Copy to: Section
Lahore High Court, Lahore

3. Learned counsel for LDA has also filed the report regarding setting up of rooftop gardening. It is directed that the LDA should proceed beyond the issuance of

notice and since PHA has identified the plants which may be planted on the rooftops, as a first step, high rise buildings around the main boulevard Lahore should be required to implement the directions of this Court by setting up rooftop gardens. This model shall then be reflected in the rest of Lahore. LDA shall file its report on the next date of hearing.

4. A letter dated 13.04.2022 issued by Director (P&D), PHA, Lahore has also been placed on the record addressed to different Directors of zones within the District of Lahore regarding making functional the ablution water tanks which have already been constructed for conservation of water and some of which were not operational since long. PHA shall ensure that water from these tanks is lifted by the Lorries of PHA and shall be used for irrigation purposes.

5. The Members of the Commission have also requested that LDA should handover green belts in the vicinity of Emporium Mall and Expo Center to PHA. LDA is directed to do so immediately and a report shall be filed in this regard on the next date of hearing. A letter issued by LDA dated 05.04.2022 has also been placed on the record which declares nine roads in Lahore as category-A roads. It has been mentioned in the office order that this has been done on the

ATTESTED
Copy of
Lahore
Action
Lahore

2

recommendation of special commercialization committee constitute by the Government and based on study conducted by NESPAC. However, till the next date of hearing, office order shall not be implemented until it is established to the satisfaction of this Court that the declaration regarding these roads is in consonance with environmental standards as also that the declaration will not impact the infrastructure in and around these roads which is necessary to cater for the advance commercial activity that the office order will generate. It was directed on the last date of hearing that PHA will place before this Court a plan for cordon of and turn the greenbelts into plantation paradise etc. One last opportunity in this regard is granted to PHA to do so. The Members of the Commission shall ensure that EPA and Deputy Commissioners across Punjab are required to enforce the ban on the use of polythene bags.

6. Adjourned to 15.04.2022.


(SHAHID KARIM)
JUDGE

ATTESTED
Examiner
Copy to Section
Lahore High Court, Lahore

Abdul Waheed