

OFFICE OF THE FEDERAL OMBUDSMAN
FOR PROTECTION AGAINST HARASSMENT OF WOMEN
AT THE WORKPLACE, ISLAMABAD

FORM OF ORDER SHEET

Complaint No. FOH-HQR/0000160/2021

Serial No. of Order of Proceedings	Date of order of Proceedings	<p style="text-align: center;">THE ENFORCEMENT OF WOMEN'S PROPERTY RIGHTS ACT, 2020</p> <p style="text-align: center;">Order of other proceedings with Signature of Federal Ombudsman</p> <p style="text-align: center;">TITLE: BAKHT BIBI VS RAJA ALI AKBAR & OTHERS</p>
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	20-06-2022	<p>Complaint No. <u>FOH-HQR/0000160/2021</u></p> <p>Mr. Bakht Marin, husband of Complainant as her representative present.</p> <p>None present on behalf of respondents. It transpires from the record that two respondents namely Raja Ali Akbar and Abdul Rehman have been playing the game of hide and seek with the forum for quite some time. In a more specific way they have been misusing the process of law and court to delay the delivery of possession of those plots which they had sold to the Complainant for quite sufficient time and received its handsome amount. Unfortunately most of the people dealing with real estate are oftenly practicing foul. The two respondents have wasted the time of the Court on flimsy grounds. They have changed many counsel to delay the process where the incumbent counsel Mr. Mufeed Khan Yousafzai, advocate also made strong commitment to redress the grievances</p>

of the Complainant who has been wondering from pillar to post and post to pillar for quite some time. The newly engaged learned counsel also disappeared at the eleventh hour leaving the Complainant in lurch. It seems certain that respondents Raja Ali Akbar and Abdul Rehman are not willing to deliver possession of their sold property to the Complainant and on the other hand indulging and using unfair methods and modus operandi to deprive a woman of her property. This conduct of the respondents is against the scheme of the Enforcement of Women's Property Rights Act 2020 which has been enacted for the Protection of the rights of ownership and possession of properties owned by women, ensuring that such rights are not violated by means of harassment, coercion, force or fraud. The instant case appears to be the glaring example of women rights violation as discussed in above mentioned preamble.

Representative of the complainant has produced two original certificates of possession of plot No.6198/RES and plot No.6199/RES. Original certificates seen and returned, while their photocopies retained. The certificates have been issued to show that the possession, in papers, have been delivered to the allottee, whereas on the spot no such possession is given to her. It also reflects the fraudulent practice on the part of the respondent No.1 & 2.

Keeping in view the ordeal of Complainant Ms. Bakht Bibi at the hands of the respondents while invoking the provision of section 5 of the Act 2020, I direct Mr. Arif Khan, advocate to take steps so as to restore possession of the two above mentioned plots to the Complainant. I also deem it fit to direct SHO PS Koral for assistance of the commission for implementing the orders of this forum in letter and spirit. In case respondents No. 1 & 2 put any resistance or

		<p>hurdle in the way of peaceful delivery of possession, they must be taken into the custody till the process of possession is completed. I also deem it appropriate to apply section 8 of the Act 2020 to direct respondent No. 1 & 2 to pay a sum of Rs. 10 lac to the Complainant because she remained deprived of the use of the property for long.</p>
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FEDERAL OMBUDSMAN