



FEDERAL OMBUDSMAN
For Protection against Harassment of Women at Workplace
Islamabad

J U D G M E N T

1. Compliant Number: 1(71)/2013-FOS
2. Date of Institution: 24-6-2013
3. Date of Decision: 02-8-2013
4. Complainant: Mst. Rizwana Faisal Khan
Music Producer/ News Reader
Radio Pakistan, G-5, Islamabad.
5. Opponent: Mr. Sajid Durrani,
Principal, PBA Hostel, H-9
Islamabad.

Yasmin Abbasey,

Ombudsman:

Complaint No. 1(71)/ 2013-FOS.

1. This complaint has been filed by Rizwana Faisal Khan Employee of Radio Pakistan as Music Producer/ News Reader. It is stated by her that she is residing in PBA Hostel for the last two and half years alongwith her two orphan children. According to her just after posting of Sajid Durrani as Principle of PBA Hostel sector H-9 Islamabad he one pretext or the other is demanding for undue sexual favour for him by the complainant. It is alleged that even prior to this when Sajid Hassan Durani was Program Manager at Faisalabad, there also on official visit of complainant in a show opponent tried to entice her towards him. On 15-9-2012 in order to gain attention opponent had also sent an e-mail to her. It is stated by complainant that after his transfer to Islamabad when complainant refused his offer of sexual favour opponent in retaliation, on 22-5-2013 ordered for vacating the room No.17 in occupation of complainant. It is further alleged on 05-6-2013 at about 10/11 pm opponent in intoxicated condition came in complainant's room alongwith some other persons and tried to out ridge her modesty. In that attempt complainant was injured and blood also started oozing from her mouth. Complainant got

medical treatment from Poly Clinic. On her return from Poly Clinic she was not allowed to enter in the Hostel and thus forcibly she stayed in her friend's house. On the next day she obtained stay order from Court.

2. Now it is prayed by complainant that her household article illegally sealed in room No.17 may be order to be shifted in room No.12. It is further stated that after dismantling her from room threats of termination from service are also being given to her.
3. In reply to this complaint it is stated the complainant as counterblast of the action of the Department ordering to vacate the official residence for which she is not entitled has filed this complaint with malafied intention in order to blackmail and harass the respondent just to achieve her illegal motives.
4. It is pointed out that before approaching to this forum complainant had already place her case before Civil Court Islamabad then also had filed a complaint on 17-6-2013 before SHO Police Station I-9 Islamabad. They have further pointed out that the contract of complainant has expired on 30-6-2013.
5. By letter 15-7-2013 allotment order of room No.12 has also been cancelled. Therefore now she has to vacate the room No.12 allotted to her on humanitarian ground.

6. From the perusal of record it appears that as per statement of complainant incident happened on 05-6-2013 and for redress of her grievance complainant has approached almost all legal forums. It is also an admitted fact that before approaching this forum complainant had also filed a suit before Civil Judge Islamabad almost on same ground as have been presented in this complaint and had obtained stay order in her favour. Contents of stay order 10-7-13 passed by civil judge / judicial magistrate west Islamabad reads as under:

“Bailiff is directed to open the suit room in presence of parties on 12-7-2013 and make inventory of articles therein and transfer the same into another room and there after submit the report of the same on 16-7-2013”.
7. But in view of the subsequent events happened after expiry of contract of complainant, order of vacating the premises by authorities of PBC Civil Judge Islamabad by order dated 16-7-2013 has stayed the previous order of 10-07-2013 and now the matter is fixed on 17-8-2013.
8. In the circumstance of the case when on the same facts and issues complainant has approached two different forums for the same relief in both the matters, Matter is hit by the doctrine of

Resjudicata. Although till now none of the forum had finally decide the matter but in order to avoid any conflicting opinion on the same issues with the same relief, with out prejudice to rights of the complainant and without discussing merits and demerits of the case, I think complainant should pursue her case before Civil Judge Islamabad where she approached first.

9. In view of above complaint of complainant is hereby disposed of in above terms.

YASMIN ABBASEY
Ombudsman