

2008 S C M R 172

[Supreme Court of Pakistan]

Present: Tassaduq Hussain Jilani and Syed Jamshed Ali, JJ

SAMI-UD-DIN GHORI----Petitioner

Versus

LAHORE DEVELOPMENT AUTHORITY and another----Respondents

Civil Petition No.117-L of 2004, decided on 1st March, 2007.

(Against the judgment/order, dated 28-10-2003 of the Lahore High Court, Lahore, passed in Intra-Court Appeal No.432 of 2003).

Constitution of Pakistan (1973)---

----Art 185(3)---Petition for leave to appeal---Claim for allotment of residential plot against quota reserved for overseas Pakistanis---Petitioner's constitutional petition, in which he sought a direction to the respondent Authority to allot him a residential plot against the quota reserved for overseas Pakistanis, having been dismissed, petitioner had filed petition for leave to appeal against judgment of High Court---Scope---Special quota reserved for overseas Pakistanis stood abolished before the petitioner's application could mature---Counsel for petitioner had not referred to any provision of law, rule or policy under which he could claim residential plot as of right---Concurrent judgments, in circumstances being unexceptionable, petition against said judgments, was dismissed and leave refused.

M.A. Zafar, Advocate Supreme Court for Petitioner.

Nemo for Respondents.

ORDER

TASSADUQ HUSSAIN JILLANI, J.--- Leave is sought against the judgment dated 28-10-2003, vide which a learned Division Bench of the Lahore High Court, Lahore, dismissed petitioner's Intra-Court Appeal and affirmed the judgment of the learned Single Judge of the same Court dated 5-6-2003, vide which petitioner's Constitution Petition seeking a direction to the Lahore Development Authority to allot him a residential plot against the quota reserved for Overseas Pakistanis was dismissed.

2. We have heard the learned counsel for the petitioner at some length and have gone through the impugned judgment.

3. It is not disputed by petitioner's learned counsel and it has been so concurrently held that special quota stood abolished before the petitioner's application could mature. Petitioner's learned counsel has not referred to any provision of law; rule or policy under which he could claim the residential plot as of right. That being so, the concurrent judgments are unexceptionable. We do not find any merit in this petition which is accordingly dismissed and leave refused.

H.B.T./S-38/SC Leave refused.