

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

FORM OF ORDER SHEET

Complaint No. **FOH-HQR/0000217/2022**

Serial No. of Order of Proceedings	Date of order of Proceedings	<p style="text-align: center;">THE ENFORCEMENT OF THE 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;">Gulminah Adnan Jalil Vs Jammu & Kashmir Cooperative Housing Society Ltd. Islamabad</p>
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	05-10-2022	<p>Complaint No. <u>FOH-HQR/0000217/2022</u></p> <p>Complainant Gulminah Adnan Jalil is a member of Jammu & Kashmir Cooperative Housing Society Ltd. Islamabad. The plot measuring 600 sq. Yards situated in Sector F-15/F-16 (Extension) Islamabad was transferred in her name vide letter No. 8879 dated 27-10-20005 under membership No. 19745, however possession of the suit plot was not delivered to the Complainant. Feeling aggrieved she filed an application under Section 54 of the Cooperative Society Act 1925 whereupon award dated 06-02-2019 was passed in her favor by the Registrar Nominee/Assistant Commissioner (Saddar), Islamabad. Respondent Society was directed to provide alternative plot with full possession to the Complainant within thirty days or to return the amount to her on prevailing rates. The society filed appeal under Section 56 of the Act 1925 before the Registrar of the Society/Deputy Commissioner ICT Islamabad but the appeal was dismissed on 02-07-2019 upholding the award dated 06-02-2019. Subsequently the execution</p>

certificate under Section 59 of the Act 1925 was issued in favor of Complainant on 21-02-2020. Complainant filed application for execution of award before Civil Court West Islamabad on 03-06-2020. The said execution application was adjourned sine die on 15-10-2021 on the ground that appeal was pending.

In the above background the instant complaint was filed by Gulminah Adnan Jalil praying to direct the Society to deliver her possession of the suit plot or to pay the market price as per award dated 06-09-2019.

Respondent society was issued notices for attendance and reply but despite the notices the society remained absent and as such placed ex-parte. Again notices were issued to Administrator Jammu & Kashmir Cooperative Housing Society to produce relevant record but again none appeared from the society. So much so Bailable warrant of arrest was issued against Administrator Jammu & Kashmir Cooperating Housing Society Ltd. Islamabad but it did not work.

The record placed on the file has been gone through in light of the ex-parte evidence recorded by the Complainant. The record so produced substantiate the claim of the Complainant. The record produced on behalf of the Complainant is Ex PW 1/1 to Ex PW 1/7 on the file. There is no rebuttal on behalf of Respondent of the version of the Complainant that she has been illegally deprived of the property owned by her. Being so the complaint filed by Gulminah Adnan Jalil falls under the ambit of Section 4 and Section 7 of the Enforcement of Women's Property Rights Act 2020. Thus, invoking the provision of Section 5 of the Act 2020 I direct the Deputy Commissioner, Islamabad to take steps so as to restore or confer possession or title of the property to the Complainant including measures to perfect such title. The concerned Deputy Commissioner shall submit the compliance report within seven days to this forum in respect of the implementation of this order.

Adjourned to **14-10-2022** for compliance report.

FEDERAL OMBUDSMAN

