

Bahria Town asked to pay Rs1trn if it wants settlement

BR epaper.brecorder.com/2018/10/05/22-page/742592-news.html

October 4, 2018

TERENCE J SIGAMONY

ISLAMABAD: Chief Justice Mian Saqib Nisar Thursday asked Bahria Town to pay Rs 1 trillion if it wants settlement of housing society in Karachi.

“We will not lessen or increase a single penny,” the Chief Justice said and asked Bahria Town counsel if the offer is not acceptable then there is no need to argue the review petition. However, CEO Bahria Town Malik Riaz the court that he does not have even Rs 50 billion then how come he could pay Rs 1,000 billion. The Chief Justice remarked that he knew that Malik Riaz has Rs 3,000 billion.

The Chief Justice said that Malir Development Authority land was given fraudulently so that it could be fraudently exchanged with Bahria Town. Justice Ijaz Ahsan said that both the notifications for the transfer of land to Bahria were issued by unauthorized persons.

Bahria Town counsel Barrister Ali Zafar argued that they have no problem with the determination of the price of the housing society in Karachi, but are aggrieved with the words used in the judgment. Those are of criminal nature, adding it is his client’s right to have a fair trial.

Justice Ijaz said, “You will have appropriate fora and opportunity to have fair trial.” The Chief Justice said they understand the anxiety of the Bahria Town that the implementation bench determines the price but NAB should proceed against those who have committed illegality in the deal. The NAB is already probing the matter and they will ask the anti-graft body to pick up the thread from where it had left.

“The MDA’s prime real estate was taken in exchange for barren land alongside the Balochistan border,” said Justice Asif Saeed Khosa. The Chief Justice agreeing with Justice Khosa said that the Sindh government’s land was given to Bahria Town through deceit. Gold was given in exchange for silver.

Another counsel for Bahria Town, Zahid Bukhari, contended that according to the judgment, unless the amount is determined, no action should be initiated, and that the action should be initiated against everyone. However, this bench is targeting Bahria Town. He said: “If Bahria Town will sink then the whole country would sink.” The Chief Justice forbade him from saying the country will sink, saying the courts are the country’s protectors.

Khawaja Tariq Rahim, also representing Bahria Town, presented a map showing the exchanged land of Bahria and the Malir Development Authority. Justice Khosa thanked him and said that scattered land near Balochistan border was given to MDA, while in return it obtained land in Karachi.

A lawyer representing MDA informed the court that they have suffered no loss in the deal. The Chief Justice said that the exchange of land done in connivance with the Sindh government. “Everyone joined hands,” he added.



Some residents of Bahria Town apprised the court that good life style is provided in the Town. “We are living comfortably in Bahria Town and are feeling secure.”

Justice Khosa remarked though the work was illegal they ignore it just because the development done on it was excellent.

The apex court in May this year had passed the judgment against Bahria Town wherein the court declared that the grant of the land to the MDA, its exchange with the land of Bahria Town and anything done pursuant thereto being against the provisions of COGLA 1912 [Colonization of Government Lands Act, 1912] and statement of conditions are void ab initio (illegal from the outset) and as such have no existence.

It ruled that the government land would go back to the government and the land of Bahria Town exchanged with the government land would go back to Bahria Town.

The court ordered Bahria Town not to sell or purchase any plot, built-up unit, apartment, etc, after the announcement of this verdict. The court requested the Chief Justice of Pakistan to constitute a bench for implementation of this judgment in its letter and spirit.

 UN blames Saudi-led forces for most Yemen deaths Obama to host Nordic leaders in May