

CERTIFICATE OF THE HIGH COURT OF SINDH, KARACHI

CP D- No. 7804 of 2019 a/w Others

Tanvir Ahmed & others Vs. FoP & others

HIGH COURT OF SINDHComposition of Bench.D.B.Mr. Justice Muhammad Karim Khan Agha
Mr. Justice Zulfiqar Ali Sangi

Dates of hearing: 19-05-2020

Decided on : 19-05-2020

(a) Judgment approved for Reporting

YesCERTIFICATE.

Certified that the judgment */Order is based upon or enunciates a principle of law
*/decides a question of law which is of first impression/distinguishes/. Over-rules/
reverses/explains a previous decision.

* Strike out whichever is not applicable.

NOTE: - (i) This slip is only to be used when some action is to be taken.

(ii) If the slip is used, the Reader must attach it to the top of the first
page of the judgment.

(iii) Reader must ask the Judge writing the Judgment whether the
Judgment is approved for reporting.

(iv) Those directions which are not to be used should be deleted.

NAB PB / Compromise Agreement

698(cg)

Faisaga Housing Scheme Case

195354/5

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IN THE HIGH COURT OF SINDH AT KARACHI
(Constitutional Jurisdiction)

C. P. No. D - 7804 /2019

Filed on 03-12-19

Additional Registrar (Writ)

Tanvir Ahmed
s/o (late) Chaudhry Bashir Ahmed
resident of House No. 26-B, 8th Street,
South Central Avenue, Phase-II, DHA
Karachi

Petitioner

Versus

1. **Federation of Pakistan**
Through the Secretary,
Ministry of Law,
Islamabad
2. **National Accountability Bureau**
Through its Chairman
Regional Office at PRCS Building,
197/5, Dr. Daudpota Road,
Karachi

Respondents

CONSTITUTIONAL PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973

The Petitioner humbly submits as follows:

1. The Petitioner is the Managing Partner of a registered partnership firm, i.e. Maxim Properties (the "Maxim Properties"), which is well reputed in the development, establishment and marketing of housing projects. The Petitioner is a law-abiding citizen of Pakistan and enjoys an unblemished reputation in the society.

Copy of the Registrar of Firms is annexed herewith and marked as Annexure "A"

2. The Respondent No.1 is the Federation of Pakistan. The Respondent No.2, National Accountability Bureau ("NAB"), is a statutory body entrusted with investigating and prosecuting persons for, *inter alia*, committing corruption and corrupt practices under the NAB Ordinance, 1999, impartially and with due responsibility.

698(b)
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1

IN THE HIGH COURT OF SINDH AT KARACHI
(Constitutional Jurisdiction)

C. P. No. D - 7805 /2019

Presented on 03-12-19
Additional Registrar (Writ)

Bilal Tanvir
s/o Tanvir Ahmed
resident of House No. 26-B, 8th Street,
South Central Avenue, Phase-II, DHA
Karachi

Petitioner

Versus

1. **Federation of Pakistan**
Through the Secretary,
Ministry of Law,
Islamabad
2. **National Accountability Bureau**
Through its Chairman
Regional Office at PRCS Building,
197/5, Dr. Daudpota Road,
Karachi

Respondents

CONSTITUTIONAL PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973

The Petitioner humbly submits as follows:

1. The Petitioner is a Partner and son of the Managing Partner of a registered partnership firm, i.e. Maxim Properties (the "Maxim Properties"), which is well reputed in the development, establishment and marketing of housing projects. The Petitioner is a law-abiding citizen of Pakistan and enjoys an unblemished reputation in the society.

Copy of the Registrar of Firms is annexed herewith and marked as Annexure "A"

2. The Respondent No.1 is the Federation of Pakistan. The Respondent No.2, National Accountability Bureau ('NAB'), is a statutory body entrusted with investigating and

688(c)
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1

IN THE HIGH COURT OF SINDH AT KARACHI
(Constitutional Jurisdiction)

C. P. No. D - 7206 /2019

03-12-19
Additional Registrar (Writ)

Ata-ul-Khabir Chaudhry
s/o Ramzan Muhammad Chaudhry
resident of 905
Amber Castle
PECHS, Block-6
Karachi

Petitioner

Versus

1. **Federation of Pakistan**
Through the Secretary,
Ministry of Law,
Islamabad
2. **National Accountability Bureau**
Through its Chairman
Regional Office at PRCs Building,
197/5, Dr. Daudpota Road,
Karachi

Respondents

CONSTITUTIONAL PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973

The Petitioner humbly submits as follows:

1. The Petitioner is an employee of the registered partnership firm, i.e. Maxim Properties (the "Maxim Properties"), which is well reputed in the development, establishment and marketing of housing projects. The Petitioner is currently designated as the Deputy Managing Director for the Fazia Housing Scheme and also Member of the Project Management Executive Committee for the said scheme. He is also an authorised signatory for bank accounts of the scheme. The Petitioner is a law-abiding citizen of Pakistan and enjoys an unblemished reputation in the society.

Copy of the Registrar of Firms is annexed herewith and marked as Annexure "A"

IN THE HIGH COURT OF SINDH AT KARACHI
(Constitutional Jurisdiction)

C. P. No. D - 7807 /2019

Presented on 03.12.19
Additional Registrar (Writ)

Chaudry Muhammad Zafar Yasin
s/o Muhammad Yasin
resident of SDH 271
Falcon Complex
Behind CMH, Malir Cantt
Karachi

Petitioner

Versus

1. **Federation of Pakistan**
Through the Secretary,
Ministry of Law,
Islamabad
2. **National Accountability Bureau**
Through its Chairman
Regional Office at PRCS Building,
197/5, Dr. Daudpota Road,
Karachi

Respondents

CONSTITUTIONAL PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973

The Petitioner humbly submits as follows:

1. The Petitioner is an employee of the registered partnership firm, i.e. Maxim Properties (the "Maxim Properties"), which is well reputed in the development, establishment and marketing of housing projects. The Petitioner is currently designated as the Project Director (Marketing) and is in charge of Maxim Properties Marketing Offices for the Fazia Housing Scheme. His responsibilities as Project Director (Marketing) include inter alia handling membership, registration, booking and sale of units in the said scheme along with maintaining of allottee files and records. The Petitioner is a law-abiding citizen of Pakistan and enjoys an unblemished reputation in the society.

Copy of the Registrar of Firms is annexed herewith and marked as Annexure "A"

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IN THE HIGH COURT OF SINDH AT KARACHI

(Constitutional Jurisdiction)

Constitutional Petition No. 11-218 of 2020

14-01-2022
Present (Petitioner) *Shiraj*

1. **Hasan Khalid Malik,**
son of Khalid Hamid Malik
Resident of 19/3, FLAT No. 6,
Commercial Area, Bahadurabad
Karachi
2. **Muhammad Talha,**
son of Ehtesham Uddin
Resident of 19/3, FLAT No. 6,
Commercial Area, Bahadurabad
Karachi
3. **Saleem Uddin,**
son of Imam Uddin
Resident of E/18, Flat No.201,
P.E.C.H.S., Block - II,
Karachi
4. **Ishtiyaaq Ahmed Khan,**
son of Abdul Jabbar
Resident of House No. A5/12, Street No.09,
Mehmoodabad Manzoor Colony,
Karachi
5. **Rafaqat Aziz,**
son of Ghulam Mustafa
Resident of SD-12, D.O.H.S,
Phase - II, Malir Cantt, Karachi.
6. **Abdul Nasir Khan,**
son of Mumtaz Khan
Resident of Flat B - 16,
Jason VIP Apartment, Clifton Block - 7,
Karachi
7. **Malik Tassaduq Hussain,**
son of Muhammad Akbar,
Resident of Apartment 84 - 3/B,
Askari - 5, Malir Cantt Karachi
8. **Shaheen Mohi,**
son of Malik Tassaduq Hussain,
Resident of Apartment 84 - 3/B,
Askari - 5, Malir Cantt Karachi

704
698 (F)

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9. **Muhammad Rizwan,**
son of Muhammad Hussain
Resident of Flat No. 1001,
10th Floor, Sadaf Heights,
Nazimabad No. 1, Karachi
10. **Abdul Samad Khan,**
son of Haji Malam Khan
Resident of D - 37/1, Malir P&T Colony,
Khokhra Park No. 2, Karachi
11. **Najeeb Ullah,**
son of Abdul Samad Khan
Resident of D - 37/1, Malir P&T Colony,
Khokhra Park No. 2, Karachi
12. **Ghulam Yaseen Naroo,**
son of Ghulam Rasool
Resident of D - 37/1, Malir P&T Colony,
Khokhra Park No. 2, Karachi
13. **Mrs Naima Tariq,**
wife of Tariq Siddiqui
Resident A-5 Gulshan e Amin Bungalows
Block - 21, F. B Area
Karachi
14. **Muhammad Asim Shamim,**
son of Muhammad Shamim
Resident of A-5 Gulshan e Amin Bungalows
Block - 21, F. B Area
Karachi
15. **Memona Mustafa,**
wife of Aamir Mahmood
Resident of A-5 Gulshan e Amin Bungalows
Block - 21, F. B Area
Karachi
16. **Khurram Mueen Siddiqui,**
son of Qazi Moinuddin
Resident of A-5 Gulshan e Amin Bungalows
Block - 21, F. B Area
Karachi
17. **Mrs. Huma,**
wife of Syed Farooq Ali,
Resident of A-5 Gulshan e Amin Bungalows
Block - 21, F. B Area
Karachi
18. **Rao Zahid,**
son of Rao Abdul Sami
Resident of B-41, Al Falah Society Malir Halt,
Karachi

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19. **Shereen Kanwal,**
wife of Wahid Karim
Resident of B -158, Sector 35/ A,
Korangi No.4, Zaman Town,
Karachi.
20. **Hina Mubashir,**
wife of Mubashir Azhar
Lateef Arcade Flat No.1, Plot 3C,
Street - 3, Jami Commercial DHA,
Phase - VII, Karachi.
21. **Mian Sahib Dino,**
son of Mian Hayat
Resident of Flat No C - 305,
Fortune Arcade Clifton Block 2,
Karachi
22. **Faisal Azhar,**
son of Azhar Hussain
Resident of Lateef Arcade Flat No.1,
Plot 3C, Street - 3, Jami Commercial DHA,
Phase - VII, Karachi.
23. **Romana Saleem,**
wife of Saleem Yousuf
Resident of Gems and Jewelry Trade Centre,
Blenkin Street, Room No.201,
Karachi
24. **Muhammad Anas,**
son of Muhammad Asif
Resident of House No. 235,
Street No,32, DHA Phase - VI,
Khayaban-e-Ittehad, Karachi.
25. **Ebrahim,**
son of Abdul Sattar
Resident of House No. 1548,
Block - 3, F.B Area, Karachi
26. **Sajida Bano,**
wife of Musam Ahmed Jado
Resident of House No. A-208,
Godra Society Near Ghosia Masjid,
F. B. Area Block - 17, Karachi
27. **Adil Jado,**
son of Abdullah Jado
Resident of House No. R-1077,
Block - 17, Godra Society,
Near Ghosia Masjid, F.B Area,
Karachi
28. **Muhammad Hussain Jado,**
son of Muhammad Ahmed
Resident of House No. A-208,
Godra Society Near Ghosia Masjid,
F. B. Area Block - 17, Karachi

29. **Harris Alam Siddiqui**,
son of Taj Alam Siddiqui
Resident of 301,
Hina Heights, Gulshan-e-Iqbal Block - 17,
Karachi.
30. **Shabbir Ahmed Jamali**,
son of Abdul Majeed Jamali
Resident of House No. 20/B,
Jamali Street, Talhar District Badin,
Sindh.
31. **Muhammad Farooq**,
son of Haji Ahmed
Resident of House No. A-50,
Al Hillal Society Opposite Askari Park,
Gulshan-e-Iqbal, Karachi
32. **Muhammad Saleem**,
son of Haji Ahmed
Resident of House No. A-50,
Al Hillal Society Opposite Askari Park,
Old Sabzi Mandi, Gulshan-e-Iqbal,
Karachi
33. **Muhammad Zafar**,
son of Noor Muhammad
Resident of A-7, Al Hayat Square,
Al Hilal Society Opposite Old Sabzi Mandi,
Karachi
34. **Tabish Akbani**,
son of Muhammad Aslam Rauf
Resident of House No. 1886/2,
Azizabad, F.B Area,
Karachi
35. **Muhammad Farooq**,
son of Moosa Bhai
Shop # 44, Tahir Complex,
Preedy Street, Near Peshawari Ice Cream,
Saddar Karachi Petitioners

Versus

1. **Directorate of Estate Projects**
Pakistan Air Force,
Dte of Project-1 (Dett)
Karachi
Through its Assistant Chief of the Air Staff
(Housing and Projects)
Having its offices at:

- (i) Air Headquarters, E-9,
Islamabad
- (ii) PAF Base Faisal, Shahrah-e-Faisal,
Karachi

2. **Maxim Properties**

A Partnership Firm,
Having its registered office at
Mezzanine Floor, Noble Heights,
University Road, Chandni Chowk,
Karachi

3. **The Mukhtiarkar,**

Taluka Shah Mureed,
District Malir,
Karachi

4. **Deputy Commissioner Malir,**

District Malir,
Karachi Respondents

**CONSTITUTIONAL PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973**

1. That the Petitioners are law abiding citizens of Pakistan and have every right to be dealt in accordance with law and are also entitled to fundamental rights as guaranteed to them under the Constitution of Islamic Republic of Pakistan, 1973 (the "**Constitution**").
2. That the Petitioners are bona fide allottees of their respective housing units situated in Fazaia Housing Scheme, Karachi (the "**Scheme**"), which is being developed on a total of 401 acres, 24 ghuntas and 60 yards of qabuli survey land owned by Respondent No. 1, falling in NC No.114, Deh Taiser, Sector No.1, Scheme 45, Taiser Town, Karachi and Survey Nos. 1, 2, 3, 5, 6, 8, 9, 10, 11, 13, 14, 16, 17, 18, 20, 21, 22, 24, 25, 81, 86, 87, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 121, 122, 123 and 297 from Deh Allah Phiahi, Tapu Allah Phiahi, Taluka Shah Mureed, District Malir, Karachi (the "**Subject Property**").

Copies of the relevant Form II and Form VII are attached herewith and marked as Annexure 'A'.

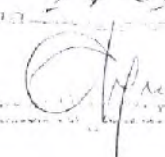
3. That Respondent No. 1 is the Directorate Estate Projects of the Pakistan Air Force (the "**PAF**") which undertakes, manages and supervises housing estates and projects on behalf of the PAF. Respondent No. 2 is a partnership firm involved, inter alia, in the business of development, establishment and marketing of housing projects. Respondent No. 3 is

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IN THE HIGH COURT OF SINDH AT KARACHI

C.P. NO. D- 300 of 2019²⁰

17-01-2020


Mst. Mussarrat Nazir
W/o Tanvir Ahmed,
Muslim, Adult, residing at
house No. 26-B, 8th Street,
South Central Avenue, Phase-II,
Defence Housing Authority,
Karachi.

Petitioner

VERSUS

Director General,
National Accountability Bureau (Sindh)
PRCS Building 197/5,
Dr. Daudpota Road, Karachi.

Respondent

CONSTITUTION PETITION UNDER ARTICLE 199
OF THE CONSTITUTION OF PAKISTAN, 1973

The Petitioner most humbly submits as under:-

1. That the Petitioner is a law abiding citizen of Pakistan and never been involved in any illegal or criminal activities. She is house hold lady however, her husband namely Tanveer Ahmed and son Bilal Ahmed are running a Partnership business of Builders, Developers, Constructors, Contractors and Marketing of Projects in the name and style of "M/s. Maxim Properties", a registered Partnership Firm, and the Petitioner is also one of the Partner of the Firm. **(C/o the Registration of Firm is annexed as Annexure "A")**
2. That the husband of the Petitioner being Managing Partner of the above Firm has executed a Contract Agreement in respect of Fazaia Housing Scheme, Karachi (FHS) with Directorate of Estate Projects, Pakistan Air Force through Assistant Chief of the Air Staff (Housing and Projects), Air Headquarters, Islamabad on 16.01.2015
3. That per agreement 400 plus Acres of land of the Maxim Properties have been transferred to Directorate Estate Projects, PAF. It is a joint project(s) however, the Managing Director of the Project(s) appointed by the PAF and further Per Clause 4 of the Contract, the Project(s) is being controlled and

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IN THE HIGH COURT OF SINDH AT KARACHI

(Constitutional Jurisdiction)

C. P. No. D - 148 /2020

Mussarat Nazir

Wife of Tanveer Ahmed

Resident of House No. 26-B, 8th Street,

South Central Avenue, Phase-II, DHA

Karachi

Presented on 10-07-2020

Petitioner

Versus

1. **Federation of Pakistan**
Through the Secretary,
Ministry of Law,
Islamabad
2. **National Accountability Bureau**
Through its Chairman
Regional Office at PRCS Building,
197/5, Dr. Daudpota Road,
Karachi
3. **The Administrative Judge**
Accountability Courts
Province of Sindh, Karachi

Respondents

-
1. **Tanveer Ahmed**
Son of (late) Chaudry Bashir Ahmed
 2. **Bilal Tanveer**
Son of Tanveer Ahmed

.....DETAINÉES

**CONSTITUTIONAL PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973**

The Petitioner humbly submits as follows:

1. The Petitioner is the wife of Mr. Tanveer Ahmed and mother of Mr. Bilal Tanveer ('Mr. Tanveer Ahmed' and 'Mr. Bilal Tanveer' will hereinafter be collectively referred to as the "**Detainees**"). The Detainees are law-abiding citizens of Pakistan and are partners of a registered partnership firm, i.e. Maxim Properties (the "**Maxim Properties**"), which is well reputed in the development, establishment and marketing of housing projects. Copy of the Registrar of Firms is annexed herewith and marked as Annexure "A"

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

C.P. No.D-7804 of 2019 a/w
C.P. Nos.D-7805 to 7807 of 2019,
D-148, 218 & 300 of 2020.

Date	Order with Signature of Judges
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1. For hearing of Misc. No.37323/2019.
2. For hearing of Misc. No.37324/2019.
3. For hearing of main case.

19.05.2020.

Mr. Salahuddin Ahmed, Advocate for the petitioners in C.P. No.D-7804/2019 and D-148/2020 and respondent No.2 in C.P. No.D-218/2020.

Mr. Abdul Sattar Pirzada, Advocate in C.P. No.D-218/2020.

Mr. Zakir Laghari, advocate for the petitioner in C.P. No. D-300/2020.

Mr. Ravi R. Pinjani, Advocate for the petitioner in C.P. No. D-7805/2019.

Mr. Shoaib Khatian, Advocate for the petitioner in C.Ps No.D-7806 & D-7807/2019.

Mr. Irfan Ahmed Memon, D.A.G.

M/s. Abdul Sattar Awan & R.D. Kalhor, Special Prosecutors NAB.

Dr. Najaf Quli Mirza, D.G. NAB.

Mr. Abdul Hafeez Siddiqui, Director NAB.

Mr. Zeeshan Tebani, Deputy Director NAB.

Mr. Aslam Pervaiz Abro, I.O.

Mohammad Karim Khan Agha-J:- The brief facts of this case are that M/s. Maxim Properties (Maxim) entered into a joint venture agreement with the Directorate of Estate Projects (the Directorate) in order to create a Housing Scheme known as "Fazaia Housing Scheme, Karachi". During the course of the joint venture, members of the public were given the opportunity to apply for plots in the proposed housing scheme. A large number of members of the public made applications for the allotment of plots in the housing scheme and paid substantial amounts of money in respect of such plots to Maxim.

2. The progress in developing the Housing Scheme was extremely slow which caused great dissatisfaction and concern amongst members of the public who had purchased plots in the scheme out of their hard earned money who became anxious that they would lose their money as the scheme may not reach completion and that they were being cheated. Under these

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circumstances a complaint was made to the National Accountability Bureau (NAB) under the National Accountability Ordinance 1999 (NAO) against Maxim and the Directorate for cheating the public at large which resulted in the NAB opening an inquiry into this matter under the NAO.

3. During NAB's inquiry it transpired that neither Maxim nor the Directorate would be able to complete the project and as such in order to safeguard the interest of the members of the public who had paid for their allotments Affidavits/settlement agreements have been made by Maxim and the Directorate whereby the allottees will be refunded all the monies which they paid in respect of their plots and the settlement of all other liabilities related to the Project under the supervision of the NAB. The affidavits of Mr. Tanvir Ahmed S/o. Chaudhry Bashir Ahmed (Late) who is Managing Director of Maxim are at page-799 and page 917 of the file (CPD. No.218/2020) which sets out the terms and conditions of the agreement which Maxim undertakes to comply with in terms of returning the monies to each allottee and the settlement of all other liabilities of the Project. The obligations/responsibilities which the Directorate have in respect of this settlement agreement are set-out in the Affidavits signed by Flt.Lt Numan Yousaf s/o Tariq Javed on behalf of the Directorate at page 855 and page 921 of the file (CPD. No.218/2020).

4. NAB is not in favor of such Affidavits/settlement agreements by Maxim and the Directorate and is also against the release of Tanvir Ahmed of Maxim and his son Bilal Tanveer in order to implement Mr. Tanvir Ahmed's Affidavit/settlement agreement although in the end the NAB has stated that this court may pass appropriate orders **keeping in view the best interests of justice and the affectees.**

5. We have heard learned counsel on behalf of Maxim (petitioners Tanveer Ahmed and Bilal Tanveer), the Directorate, a number of effectees/allottees and NAB and have considered the Affidavits/settlement agreements and other documents placed on record.

6. We have noted that this case concerns cheating the public at large whereby the real losers are likely to be the effectees/allottees

who had invested their hard earned money in a housing scheme which now cannot be constructed and are also out of pocket. According to their counsel their desire is to be repaid the amount of money which they had invested as otherwise they will lose everything.

7. We have noted that cheating public at large cases under the NAO where they have concerned housing schemes have been considered differently by the courts as compared to other offenses under the NAO since the courts seem to have accepted that the paramount consideration is to lessen or, if possible, attempt to ensure that any loss suffered by the effectees/allottees is made good or at least ensure that the housing schemes in which the allottees had invested in are constructed if at all possible. The rationale appears to be to attempt to safe guard the public against irrecoverable losses which will have a dramatic negative personal impact on the remainder of their lives. For example, where their entire life savings have been invested in a housing project which will not be completed which leads to the allottee having no where to live on top of having lost his life savings. For example the Supreme Court in the **Bahria Town Karachi case** in order to safe guard the interest of the allottees whilst the case was pending before the developer with the NAB. Likewise in the **Creek Marina Karachi case** and the **BNP/Hyatt Regency Islamabad case**.

8. NAB in its own written reply has specifically stated that the orders of this court should **keep in view the best interests of justice and the affectees**.

9. It is notable that the allottees support the Affidavits/settlement agreements of both Maxim and the Directorate as they see this as there only realistic opportunity of getting back most if not all of their investment in a relatively short period of time. As such if we were to reject the Affidavits/settlement agreements of Maxim and the Directorate then it is extremely likely that this matter would go to a prolonged trial, which experience has shown us is likely to take many years to conclude, with no guarantee of any of the allottees getting any refund at all. In our view as stated by NAB such an out come would not be in the best interests of either justice or the effectees.

10. As such by trying to strike a balance between Maxim, the Directorate and NAB with the paramount consideration of attempting to safe guard the allottees interests we hereby pass the following order:

(a) We direct the Chairman NAB to pend any inquiry/investigation into this matter whilst Maxim and the Directorate give effect to their obligations and responsibilities under their respective Affidavits/compromise agreements set out above whereby the allottees will be refunded their monies in full and all other liabilities of the Project are settled.

(b) In the event that both the parties, Maxim and the Directorate comply with their obligations/responsibilities under their respective Affidavits/settlement agreements and all the allottees are refunded all the monies which they had paid in respect of being allotted land in the Fazaia Housing Scheme, Karachi and all other liabilities of the Project are settled to the satisfaction of the Chairman NAB the Chairman NAB shall close this matter.

(c) In the event however that either Maxim or the Directorate fails to comply with their obligations/responsibilities under their respective Affidavits in respect of settlement referred to above and all the allottees are not repaid in full or all the other liabilities of the Project are not settled **within 6 months of the date of this order**, the Chairman NAB may revive the inquiry/investigation against the petitioners or any other persons involved in the Fazaia Housing Scheme, Karachi Project in connection with cheating the public at large or any other offence which they may have committed under the NAO.

(d) The Chairman NAB shall supervise and facilitate Maxim and the Directorate in giving effect to their respective Affidavits/settlement agreements with a view to safe guarding the interests of the allottees and ensuring that all the allottees are repaid in full and all other liabilities of the Project are repaid within the shortest period of time.

(e) In order to facilitate Maxim in giving effect to its Affidavits/settlement agreement within the shortest possible time the Superintendent Central Prison, Karachi is hereby **directed** to immediately release Mr. Tanvir Ahmed and Mr. Bilal Tanvir from custody so that they may fulfill their obligations/responsibilities under the Affidavit/settlement agreements signed by Mr. Tanvir Ahmed. The names of Mr. Tanvir Ahmed and Mr. Bilal Ahmed shall be placed on the ECL by the Federal Ministry of Interior with immediate effect until the Chairman NAB gives his certificate that Mr. Tanvir Ahmed and Mr. Bilal Ahmed have completed their obligations/responsibilities under Mr. Tanvir Ahmed's Affidavit/settlement agreement and all the allottees have been repaid in full and all other liabilities of the Project have been settled.

(f) In the event that further time is required to carry out the obligations/responsibilities contained in the Affidavits/settlement agreements of either Maxim or the Directorate either party or the NAB may approach this court seeking more time to complete its obligations on furnishing reasonable grounds.

11. A copy of this order shall be sent by facsimile to the Chairman NAB, Superintendent Central Jail, Karachi and Secretary Ministry of Interior, Government of Pakistan for compliance.

12. This matter shall come up on **23.11.2020 at 8.30 am** when the Chairman NAB shall submit a compliance/progress report.