



The
PESHAWAR HIGH COURT
Peshawar

All communications should be addressed to the Registrar Peshawar High Court, Peshawar and not to any official by name.

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Dated Pesh the 27/06/2020

No. 10007-41 /PHC/SDJ/HRW/ADMIN

To,

All the District & Sessions Judges/Zilla Qazi,
In Khyber Pakhtunkhwa.

Subject: JUDICIAL RESIDENTIAL BUILDINGS RETENTION POLICY

Dear Sir/Madam,

I am directed to refer to the subject noted above and to say that Hon'ble the Chief Justice has been pleased to approve Judicial Residential Buildings Retention Policy (copy enclosed) which shall hold the field till formulation of Judicial Residential Buildings Rules for the district Judiciary.

I am further directed to say that the policy shall be circulated amongst all judicial officers of the respective districts.

Sincerely Yours,

(KHAWAJA WAJIB-UD-DIN)
REGISTRAR

Dated Pesh the ___/___/2020

Endst No. _____/SDJ/PHC/HRW/ADMN


Copy forwarded to Director (I.T), Peshawar High Court, Peshawar, for uploading the same on the website of this Court.

(KHAWAJA WAJIB-UD-DIN)
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(KHAWAJA WAJIH-UD-DIN)
REGISTRAR

Dated Pesh the 27/6/2020

Endst No. 10042/SDJ/PHC/HRW/ADMN

Copy forwarded to Director (I.T), Peshawar High Court, Peshawar, for uploading the same on the website of this Court.


(KHAWAJA WAJIH-UD-DIN)
REGISTRAR 27.6

JUDICIAL RESIDENTIAL BUILDINGS RETENTION POLICY.

Upon promulgation of the Khyber Pakhtunkhwa Provincial Buildings (Management, Control and Allotment), Act, 2018, the Provincial Government framed the Khyber Pakhtunkhwa Residential Accommodation at Peshawar (Procedure for Allotment) Rules, 2018. In view of Section 7(3) of the Act, 2018, there is a need to formulate rules for judicial residential buildings by making amendments in Chapter 22 of volume-IV of The Peshawar High Court, Peshawar Rules and Orders. The process has already been initiated. The Competent Authority has been pleased to approve the following policy for retention of judicial residential buildings, which shall be applicable to the District Judiciary until completion of the process of rules making.

1. An official residence shall be vacated within one month from the date of relinquishment of the charge. However, a request for retention shall in the first place be made to the District & Sessions Judge concerned, who may allow retention for a maximum period of (3) months, to be reckoned from date of relinquishment of the charge, on any of the following grounds.
 - a. Posting to a station where official residence is not available.
 - b. During examination of children of the applicant subject to furnishing documentary proof.
 - c. During extreme illness of the applicant or any of his/her family members residing with him/her, provided that the patient has been advised to avoid travelling/ bed rest.
 - d. During catastrophic situation i.e earthquake, floods or epidemic diseases etc. in the region.
 - e. In case of death of the occupant or his/her spouse.
 - f. During training of the applicant (domestic or abroad) or study leave.
 - g. Any other extraordinary circumstances.

2. In case of refusal of the request, the Judicial Officer concerned may approach this Court for redressal of his grievance. Upon recommendations of the Secretariat for District Judiciary and in the light of reports of the District & Sessions Judges concerned, the Competent Authority may, allow retention of the residential buildings for the maximum period of (3) months as mentioned in Para No.1.

3. During the extended period an applicant shall be bound to pay the normal house rent, utility dues and abide by all other terms and conditions specified in the allotment order, in addition to the instructions contained in PHC letter No.608-632/Admn dated Peshawar, 14th October, 2009 (Page No.539 to 541 of Judicial Estacode, revised edition 2011)