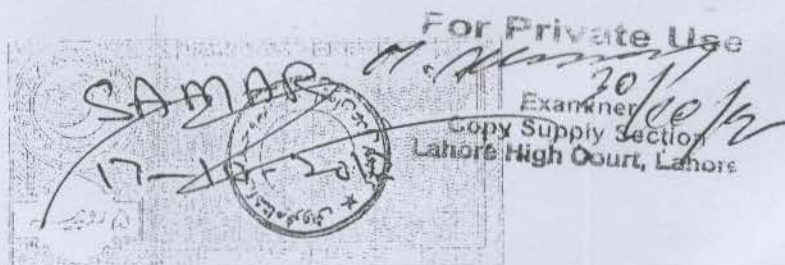


IN THE LAHORE HIGH COURT, LAHORE



C.M NO 3708 /2012
IN
WRIT PETITION NO. 23510/2012

In re:

M/S OLIVE GRILL RESTAURANT

VERSUS

PROVINCE OF PUNJAB ETC.

APPLICATION UNDER ORDER 1 RULE 10 READ WITH
SECTION 151 OF CPC FOR IMPEADING SOCIETY OF
ALTERNATIVE MEDIA AND RESEARCH (SAMAR) AS
RESPONDENT IN THE TITLED WRIT PETITION

The Applicant very respectfully submits as under: -

1. That the above titled writ petition is pending for adjudication before Mr. Justice Umar Ata Bandial, Hon'ble Chief Justice Lahore High Court Lahore and fixed for 18-10-2012.
2. That the Applicant is an Organization / NGO Namely Society of Alternative Media and Research (SAMAR) having its registered office at House No. 67-B, Street No. 43, F-10/4, Islamabad, and working on tobacco control program through its project "Coalition for Tobacco Control-Pakistan (CTC-Pak)". This application is filed through Mr. Khurram Hashmi its National Coordinator on Coalition for Tobacco Control-Pakistan



(CTC-Pak), who is lawfully authorize to file this application (Letter issued Chairman Board of Directors SAMAR is attached herewith as Annexure "A")

3. That the aim of Applicant / SAMAR is to strengthen the development and implementation of Policies for tobacco control through advocacy campaigns while acting as a technical resource for the Government Agencies. Currently Applicant / Organization is working on Sheesha (water pipe smoking), use of which is rising on alarming rate, especially among the youth.
4. That despite the introduction of Prohibition of Smoking and Protection of Non-Smoker Health Ordinance 2002, a comprehensive approach towards effective tobacco control is still lacking and prevalence of Sheesha smoking in youth as well as adult is high in Pakistan.
5. That under section 15 of Prohibition of Smoking and Protection of Non-Smoker Health Ordinance 2002 Federal Government has delegated its powers to the Provincial Governments vide SRO No. 1068(I)/2006. In exercise of the powers of conferred by subsection (1) of section 4 of Prohibition of Smoking and Protection of Non-Smoker Health Ordinance 2002, the Federal Government declared the list of authorized person under the Ordinance vide S.R.O. No.654(I)/2003. (Copies of Notifications are attached herewith as Annexure "B" and "C")
6. That after issuance of statutory notification S.R.O.51 (KE)/2009, which also rescind the S.R.O. No.



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956(I)/2008. Henceforth all the public places as listed in section 3 of the Prohibition of smoking and protection of Non-Smokers Health Ordinance, 2002 and S.R.O. No. 653(I)/2003 shall be completely smoke free. (Copy of S.R.O.51 (KE)/2009 is attached herewith as Annexure "D")

7. That the Applicant / Organization's project Coalition for Tobacco Control - Pakistan is to strengthen the development and implementation of policies based on the provisions of Framework Convention for Tobacco Control (FCTC) through advocacy campaigns and acting as a technical resource for the Ministry of Health.
8. That applicant filed a Writ Petition No. 25011-2011 titled Society of Alternative Media and Research Versus Government of Punjab Etc. as pro bono public litigation, wherein applicant sought direction for strict enforcement of Prohibition of Smoking and Non Smokers Health Ordinance, 2002 in the Province. This Hon'ble Court disposed of writ petition No.25011-2011 on 11-07-2012 with direction that **"Ordinance shall be enforced strictly by the concerned field authorities who shall be monitored by Respondent No. 3" (Home Secretary)"** (Copies of Writ Petition NO. 25011-11 , Order Dated 10-11-2011 and Order dated. 11-07-12 are attached herewith as Annexure "E", "F", and "G")
9. That the Applicant is necessary and proper party to the above titled writ petition. The Applicant may kindly be



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arrayed as respondent to assist this Hon'able Court to adjudicate upon and settle effectually and completely all questions involved in the above titled writ petition and for preventing multiplicity of proceedings.

10. That if Applicant is not arrayed as respondent in the above titled case and is not providing opportunity to hearing before passing of any order in the writ petition, the applicant shall suffer irreparable loss and injury.

It is, therefore, most respectfully prayed that the applicant may kindly be accepted and applicant be arrayed as respondent for assistance of this Hon'able Court to adjudicate upon and settle effectually and completely all questions involved in the above titled writ petition, in the interest of justice and equity.

Any other relief which this Honorable Court deems fit may also be awarded.



[Signature]
APPLICANT

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[Signature]
Authorized Under Article 87 of
Qanun-e-Shahadat Order, 1984

THROUGH

Muhammad Abdullah Amin
17/10/2012

MUHAMMAD ABDULLAH AMIN
ADVOCATE HIGH COURT
M-Q Building, 7-Turner Road, Lahore
CC No. P-LH-36353

Dated: 17-10-2012

TRUE COPY
In Case No. CM 3208-12
[Signature]
Examiner (Branch)
Lahore High Court, Lahore

Petition No. 29807
Case No. 22-10-12
Date of Presentation of Application 30/10/12
Copy Fee
Urgent Fee
Registration and Postage Fee
Court Fee in Application
Total
Name of Copier
Date of Receipt of File
Date of Completion of Copy
Date of Delivery of Copy

30/10/12

31-15