

IN THE SUPREME COURT OF PAKISTAN
(Original Jurisdiction)

PRESENT:

Mr. Justice Umar Ata Bandial, CJ
Mr. Justice Ijaz ul Ahsan
Mr. Justice Munib Akhtar
Mr. Justice Sayyed Mazahar Ali Akbar Naqvi
Mr. Justice Muhammad Ali Mazhar
Mrs. Justice Ayesha A. Malik
Mr. Justice Syed Hasan Azhar Rizvi
Mr. Justice Shahid Waheed

CONSTITUTION PETITIONS NO.6 TO 8 OF 2023
(Setting aside the Supreme Court (Practice and Procedure) Bill, 2023)

And

CONSTITUTION PETITIONS NO.10 TO 12 OF 2023
(Setting aside the Supreme Court (Practice and Procedure) Bill, 2023)

Raja Amer Khan and another
(in Const. P. 6 of 2023)

Chaudhry Ghulam Hussain and another
(in Const. P. 7 of 2023)

Muhammad Shafay Munir, Advocate High
Court, Lahore
(in Const. P. 8 of 2023)

Zaman Khan Vardog
(in Const. P. 10 of 2023)

Ghulam Mohiuddin
(in Const. P. 11 of 2023)

Muhammad Azhar Siddique
(in Const. P. 12 of 2023)

...Petitioner(s)

Versus

The Federation of Pakistan through the
Secretary Law and Justice Division, **...Respondent(s)**
Ministry of Law and Justice Islamabad
and others
(in all cases)

For the petitioner(s) : Mr. Imtiaz Rashid Siddiqui, ASC
Kh. Tariq Raheem, ASC

For Federation : Mr. Mansoor Usman Awan,
Attorney General for Pakistan
Ch. Aamir Rehman, Addl. AG
a/w Barrister Maryam Ali Abbasi,
(Consultant)
Mr. Saad Satti, (Consultant)

For PML-N : Mr. Salahuddin Ahmed, ASC

For PPPP : Mr. Farooq H. Naek, Sr. ASC

For PBC : Mr. Hassan Raza Pasha, ASC
Mr. Haroon-ur-Rasheed, ASC

For SCBAP : Mr. Abid S. Zuberi, ASC
Assisted by:
Ms. Amna Khalili, Adv
Mr. Muqtadir Akhtar Shabbir, ASC

PML-Q : Nemo

JUIP : Nemo

Date of hearing : 02.05.2023.

ORDER

In compliance of this Court's order dated 13.04.2023, today Mr. Mansoor Usman Awan, learned Attorney General for Pakistan; Mr. Farooq H. Naek, Sr. ASC on behalf of Pakistan Peoples Party Parliamentarians (PPPP); Mr. Salahuddin Ahmed, ASC on behalf of Pakistan Muslim League-Nawaz (PML-N); Mr. Abid S. Zuberi, ASC on behalf of Supreme Court Bar Association of Pakistan; and Mr. Hassan Raza Pasha, ASC on behalf of Pakistan Bar Council have entered appearances. The learned Attorney General has apprised that Mr. Kamran Murtaza, Sr. ASC was to appear on behalf of JUIP from Quetta but he has been unable to do so on account of non-availability of video-link. Likewise,

counsel on behalf of PML-Q, Mr. Zahid Ebrahim, ASC, could not attend Court either due to a bereavement in his family.

2. Our attention has also been drawn to CMA No. 2857 of 2023 which is filed by the petitioner in Constitution Petition No. 6 of 2023. This CMA contains the Notification dated 21.04.2023 which publishes the Supreme Court (Practice and Procedure) Act, 2023 ("**Act**"). In the Court's previous order dated 13.04.2023 an anticipatory injunction was granted to prevent the Act from having, taking or being given any effect or be acted upon in any manner from the moment that it receives the assent (actual or deemed) of the President. That injunction continues and shall continue to be in force against the Act till further orders.

3. We are informed that three fresh Constitution Petitions (No.10 to 12 of 2023), seeking essentially the same relief as Constitution Petitions No.6 to 8 of 2023, have also been filed. In the interests of justice, notices are issued to the respondents in these petitions.

4. To ensure a smooth hearing of this lis and keeping in view the important constitutional questions arising from it, we direct all the parties to file concise statements of their submissions before the next date of hearing. Additionally, the learned Attorney General shall place on record before the next date of hearing the debates of the National Assembly, of the Joint Sitting of the two

Houses and of the relevant Standing Committee in which the provisions of the Act were discussed.

5. Re-list for hearing on **08.05.2023** at **12:30 pm.**

Islamabad
02.05.2023
Naseer/Meher LC