

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI.

Const. Petition No.D-2223 of 2020

Date

Order with signature of Judge

For orders as to maintainability of the petition.

20.11.2024.

Petitioner M. Tariq Mansoor, advocate, in person.  
Ms. Wajiha Mehdi, DAG.

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We have been enquiring since last ten (10) minutes from the petitioner's counsel who has filed this petition in the public interest, as to what the case of the petitioner is?. He instead taking us to the orders passed by different Benches, however, he has not been able to assist us as to what his/petitioner's case is about. Without taking us as to the question(s) involved in the petition he then filed a statement today that the matter pertains to Constitutional Bench in terms of Article 202A(3)(4)(5) of the Constitution of Islamic Republic of Pakistan, 1973. It seems that the counsel is not aware about the last Circular issued by the Court, in compliance of the directions of the Judicial Commission of Pakistan. All Benches, in view of information contained in the Circular, based on the Commission's Decision, are operating as Constitutional Benches. On this, he submits that this is only an arrangement and does not confer jurisdiction of the Constitutional Court(s) to this Bench.

We are unable to understand and agree with such submission as it is the Judicial Commission of Pakistan's discretion and consequent direction which has enabled all Benches operating within the jurisdiction of this Court to continue to operate as Constitutional Benches. Since the counsel is not inclined to proceed with the matter and avoided on the aforesaid account, we dismiss the petition for non-prosecution.

Chief Justice

Judge