

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-268 of 2021

Order with signature of Judge

1. For order on CMA 1025/21
2. For order on CMA 1026/21
3. For hearing of main case

Dated : 14.01.2021

Mr. Muhammad Asif for petitioner.

- 1) Granted.
- 2) Granted subject to all just exceptions.
- 3) Petitioner has called in question the appointment of Chairman of Federal Public Service Commission of Pakistan vide notification dated 18.12.2020. Learned counsel for the petitioner has raised grievance that provisions of Section 3(3) of Federal Public Service Commission Ordinance, 1977 should have been read with Article 242 of the Constitution of Islamic Republic of Pakistan, 1973, which was amended in terms of 18th Amendment whereby prime minister's advice was binding on the president of Islamic Republic of Pakistan hence none of the provisions could be read in isolation and it is case of the petitioner that as a parent Statute, Articles of the Constitution of Pakistan should have prevailed and should have diluted the subordinate legislation. Per learned counsel in case this notification is allowed, provisions of Article 242 of the Constitution shall become redundant. Let notice in this regard be issued to respondents as well as DAG.

JUDGE

JUDGE