

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P No.D-5593 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
------	-----------------------------------

Fresh Case

1. For orders on Misc. No.24807/2024 (Urgent/App).
2. For orders on Misc. No.24808/2024 (Exemption/App).
3. For orders on Misc. No.24809/2024 (Stay/App).
4. For orders on Misc. No.24810/2024 (U/s 151 CPC).
5. For hearing of main case.

.....

Dated 05.11.2024

Mr. Aamir Mansoob Qureshi, Advocate for the petitioner.

Mr. Mehran Khan, Assistant Advocate General.

.....

We have been informed by the learned A.A.G that the Resolution as required in terms of Article-202(7) of the Constitution of Islamic Republic of Pakistan was passed yesterday, on 04.11.2024 apparently late in the afternoon. Article-202A requires the constitution of the Constitutional Benches which could have been triggered subject to the passing of the Resolution by the Provincial Assembly.

As noted above and informed by the learned A.A.G now that the Provincial Assembly has passed such Resolution to give effect to the provisions of this Article, i.e. Article-202A, the effect of such Resolution is that no Bench of a High Court other than a Constitutional Bench shall exercise jurisdiction vested in the High Court under sub-paragraph (i) of paragraph (a) and paragraph (c) of clause (1) of Article-199. Rest of the jurisdiction may be exercised by the Benches to whom the rosters have been assigned (excluding above) and will continue to exercise leftover jurisdiction.

With this understanding, we deem it appropriate that unless the Constitutional Benches are carved out by the Commission, such matters, as identified in sub-clause (3) of Article-202A, may not be fixed. Adjourned.

CHIEF JUSTICE

JUDGE

Ayaz Gul