

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

PRESENT: MR. JUSTICE MIAN SAQIB NISAR, HCJ
MR. JUSTICE MUSHIR ALAM
MR. JUSTICE SAJJAD ALI SHAH

CIVIL APPEALS NO.3 AND 4 OF 2018 AND

*(on appeal from the judgment/order dated 07.12.2017
passed by the Lahore High Court, Lahore in
I.C.A.98703/2017)*

CIVIL PETITIONS NO. 3412 OF 2017 AND 45 OF 2018

*(on appeal from the judgment/order dated 28.08.2017
passed by the Islamabad High Court, Islamabad in
W.P.2975/2016 and dated 07-12-2017 of the Lahore
High Court, Lahore passed in I.C.A.98703/2017)*

AND

C.M.A. NOS. 203 TO 209 OF 2018 IN

CIVIL PETITIONS NO. NIL OF 2018

*(on appeal from the judgment/order dated 07.12.2017
passed by the Lahore High Court, Lahore in
I.C.A.98703/2017)*

1. Pakistan Medical and Dental Council In C.As.3 & 4/2018
through its President
2. Prof. Dr. Masood Hameed Khan In C.P.3412/2017
3. Pakistan Association of Private Medical In C.P.45/2018
and Dental Institution through its D.G.
4. Pakistan Medical and Dental Council In CMA 203-209/18
through its President

...Appellant(s)/Petitioner(s)

VERSUS

1. Muhammad Fahad Malik etc. In C.A.3/2018
2. Pakistan Association of Private Medical In C.A.4/2018
and Dental Institution etc.
3. Federation of Pakistan through Secretary In C.P.3412/2017
M/o National Health Services Regulation
and Coordination and another
4. Federation of Pakistan etc. In C.P.45/2018
5. Muhammad Osama & others In CMA 203/18
6. Taha Ahmed Train & others In CMA 204/18
7. Hubaid Haider & others In CMA 205/18
8. Shaniyaal Shahid & others In CMA 206/18
9. Mahnoor Ahsan Bhoon & others In CMA 207/18
10. Ahmed Iqbal & others In CMA 208/18
11. Azeem Izhar & others In CMA 209/18

... Respondent(s)

For the appellant(s)/
petitioner(s):

Mr. Muhammad Akram Sheikh, Sr. ASC
Syed Rifaqat Hussain Shah, AOR
(In C.As.3 & 4/2018 also in In CMA 203-209/18)

Sardar M. Latif Khan Khosa, Sr. ASC
Ch. Akhtar Ali, AOR
(In C.P.3412/2017)

Ch. Muhammad Ashfaq Bhullar, ASC
Mr. Mahmood A. Sheikh, AOR

(In C.P.45/2018)

For the respondent(s): Respondent in person a/w father
(For respondent No.1 In C.A.3/2018)

Mr. Munawar-us-Salam, ASC
Barrister Tariq Saeed Rana, Legal Advisor,
Shalamar Medical College, Lhr.
(For respondent No.8 in C.A.3/2018)

Syed Ali Zafar, ASC
Mr. Munawar-us-Salam, ASC
Mr. Zahid Nawaz Cheema, ASC
(For respondent No.1 in C.A.4/2018)

Mr. Muhammad Akram Sheikh, Sr. ASC
Syed Rifaqat Hussain Shah, AOR
(For respondent No.2 in C.P.3412/2017)

Commander (R) Farasat Ali, Deputy
Registrar, NUMS
(For respondent No.6 in C.A.3/2018)

Mr. Ahsan Masood, Legal Advisor, CMH
Lahore Medical College
(For respondent No.7 in C.A.3/2018)

Dr. Arshad Ali Khan, AMS + Usman Rana,
Litigation Officer
Ch. Muhammad Attique, Legal Advisor, UHS
(For respondents No.3 & 4 in C.A.3/2018)

For Federation: Mr. Ashtar Ausaf Ali,
Attorney General for Pakistan
Mr. Muhammad Waqar Rana, Addl.A.G.P.
Ch. Aamir Rehman, Addl.A.G.P.

On Court's notice: Dr. Asim Hussain

Date of Hearing: 12.01.2018

ORDER

MIAN SAQIB NISAR, CJ.— C.M.A. Nos. 203 to 209/2018

are allowed office is directed to number the civil petitions.

2. For the reasons to be recorded later, Civil Appeals No. 3 and 4 of 2018, Civil Petitions No. 45 and 64 to 70 of 2018 are dismissed; whereas Civil Petition No.3412/2017 is converted into an appeal and allowed. The Pakistan Medical and Dental Council (*PMDC*) constituted under the law and any Executive Committee constituted by or under the law and presently working are dissolved and till the

appointment/election of the fresh Council and the Executive Committees in accordance with law, we are constituting an *ad-hoc* Council to perform the functions and run the affairs of PMDC in accordance with the relevant law. The Council shall comprise of the following:

1. Mr. Justice Mian Shakirullah Jan, former Judge of this Court (*Chairman*);
2. The Attorney General for Pakistan (*Member*) or in case of his non-availability, his nominee/representative;
3. Federal Secretary Health, Islamabad (*Member*);
4. Surgeon General of Pakistan Armed Forces (*Member*);
5. Vice Chancellor of the National University of Medical Sciences (NUMS) (*Member*);
6. Vice Chancellor University of Health Sciences, Lahore (*Member*);
7. Executive Director, Jinnah Post Graduate Medical Centre, Karachi (*Member*);
8. Vice Chancellor Khyber Medical University, Peshawar (*Member*); and
9. Principal Bolan Medical College, Quetta (*Member*);

2. The above Council will take over and run the affairs of the PMDC immediately and its first meeting shall be convened on 18.01.2018. The present registrar of PMDC shall continue to work.

CHIEF JUSTICE

JUDGE

JUDGE

ISLAMABAD.
12th January 2018.
Mudassar/[☆]