

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

MR. JUSTICE TASSADUQ HUSSAIN JILLANI
MR. JUSTICE ANWAR ZAHEER JAMALI
MR. JUSTICE ASIF SAEED KHAN KHOSA
MR. JUSTICE AMIR HANI MUSLIM
MR. JUSTICE MUHAMMAD ATHER SAEED

CONSTITUTION PETITION NO. 73 OF 2011

(Constitution petition under Article 184 of the
Constitution against the appointment of incumbent
chairman NAB)

Ch. Nisar Ali Khan

... Petitioner

VERSUS

Federation of Pakistan etc

... Respondents

For the Petitioner:

Mr. Muhammad Akram Sheikh, Sr. ASC
Mr. Arshad Ali Chaudhry, AOR
Assisted by Barrister Sharjeel Adnan Sh,
Advocate and Syed Faraz Raza, Advocate

For Respondent No. 3:

Sardar Muhammad Latif Khan Khosa, Sr. ASC
Ch. Akhtar Ali, AOR

On Court Notice:

Mr. Irfan Qadir, Attorney General for Pakistan
Barrister Sheryar Riaz, Advocate.

Date of Hearing:

28.05.2013

ORDER

TASSADUQ HUSSAIN JILLANI, J.- For the reasons to be recorded later in the detailed judgment, we hold and declare that consultation in the appointment of Chairman NAB was not made in accordance with Section 6 of the National Accountability Bureau Ordinance, 1999 and the law declared by this Court. Consequently, this Constitution petition is allowed, the impugned appointment of respondent No. 3 is declared to be without lawful authority and is set aside with immediate effect. The Federal Government is directed to make fresh appointment without further loss of time.

JUDGE

JUDGE

JUDGE

JUDGE

JUDGE

Islamabad, the
28th of May, 2013

Riaz