

IN THE SUPREME COURT OF PAKISTAN
(Original Jurisdiction)

PRESENT:

Mr. Justice Umar Ata Bandial, CJ
Mr. Justice Ijaz ul Ahsan
Mr. Justice Munib Akhtar
Mr. Justice Syed Hasan Azhar Rizvi
Mr. Justice Shahid Waheed

CONSTITUTION PETITIONS NO. 14 TO 17 OF 2023

(Declaring Notification dated 19.05.2023 (Regarding constitution of an inquiry Commission to probe into the veracity of alleged Audio Leaks) as ultra vires to the Constitution of Pakistan, 1973)

AND C.M.A. NO. 3663 OF 2023

IN

CONSTITUTION PETITION NO. 14 OF 2023

Abid Shahid Zuberi, Advocate Supreme
Court of Pakistan
(in Const. P. 14 & CMA 3663/2023)

Muqtedir Akhtar Shabbir
(in Const. P. 15 of 2023)

Imran Ahmad Khan
(in Const. P. 16 of 2023)

Riaz Hanif Rahi, Advocate Supreme Court
of Pakistan
(in Const. P. 17 of 2023)

...Petitioner(s)

Versus

Federation of Pakistan through Secretary,
Cabinet Division, Islamabad and others
(in Const. P. 14/23 & CMA 3663/23 & Const.P.15 of 2023)

Federation of Pakistan through its
Secretary Cabinet, Pak Secretariat,
Islamabad and others
(in Const. P. 16 of 2023)

Government of Pakistan through **...Respondent(s)**
Secretary Cabinet Division, Islamabad
and another
(in Const. P. 17 of 2023)

For the petitioner(s) : Mr. M. Shoaib Shaheen, ASC
Mr. Abid Shahid Zuberi, ASC
Mr. M. Umer Lakhani, ASC

assisted by:

Agha Ali Durrani, Adv.
Ms. Minahil Malik, Adv.
Ms. Amna Khalili, Adv
Mr. Ishfaq Ahmed, Adv.
Mr. Haseeb Jamali, ASC
Ayyan Memon, ASC
(in Const. P. 14/23)

Mr. Shakeel-ur-Rehman, ASC
Mr. Muqtedir Akhtar Shabbir, ASC
(in Const. P. 15/23)

Nemo
(in Const. P. 16/23)

In-person
(in Const. P. 17/23)

For the Federation : Mr. Mansoor Usman Awan, Attorney
General for Pakistan

Assisted by:

Barrister Maryam Ali Abbasi, Adv.
Mr. Saad Javaid Satti, Adv.
Ms. Maryam Rasheed, Adv.
Ms. Mehwish Batool, Adv.
Mr. Rashdeen Nawaz Kasuri, Addl. AG

For PEMRA : Mr. Amanullah Kanrani, ASC

For PTA : Mr. Afzal Khan, ASC

Date of hearing : 31.05.2023

ORDER

The learned Attorney General for Pakistan informed the Bench that the Federation has moved an application seeking the recusal of three Hon'ble Members of the Bench from hearing the present set of Constitution Petitions ("**recusal application**"). The office is directed to number the recusal application. In the meanwhile, the learned Attorney General shall provide copies of the said

application to the other parties who shall in response thereto file their concise statements before the next date of hearing.

2. A concise statement has also been filed on behalf of the Inquiry Commission through its Secretary. Copies may be provided to the parties in these petitions, subject to all just and legal exceptions. Such parties may file their replies to the concise statement if so inclined.

3. Mr. Riaz Hanif Rahi, ASC requested that a contempt petition filed in connection with the present matter may be registered in Court. We understand that the office has raised certain objections on the same. If so inclined, the said ASC may remove these objections.

4. Adjourned to **06.06.2023** for hearing on the recusal application. Interim order dated 26.05.2023 in CMA No.3663 of 2023 to continue in the meanwhile.