

**IN THE SUPREME COURT OF PAKISTAN**  
(Original Jurisdiction)

Present:

**Mr. Justice Iftikhar Muhammad Chaudhry, HCJ**  
**Mr. Justice Jawwad S. Khawaja**  
**Mr. Justice Khilji Arif Hussain**

**Suo Motu Case No.5 of 2012**

(Suo Motu Action regarding allegation of business deal between Malik Riaz Hussain and Dr. Arsalan Iftikhar attempting to influence the judicial process)

On Court Notice:	Mr. Irfan Qadir, Attorney General for Pakistan Mr. Bani Amin Khan, IGP, Islamabad
For Dr. Arsalan Iftikhar:	Sardar M. Ishaq Khan, Sr. ASC With Dr. Arsalan Iftikhar
For Malik Riaz Hussain:	Mr. Zahid Hussain Bokhari, ASC
For Compnay Secy. Bahria Town:	Mr. Arshad Ali Chaudhry, AOR
For GEO TV.	Mir Ibrahim Rehman, CE, GEO Mr. Kamran Khan, Sr. Anchor, GEO Mr. Hamid Mir, Sr. Anchor, GEO
Date of Hearing :	07.06.2012

**ORDER**

In response to notice Mr. Kamran Khan and Shaheen Sehbai have filed written statements and extracts of the interview and their view point in respect of the instant case. We may note that being believers and faithful to the Almighty Allah and the Holy Prophet Hazrat Muhammad (PBUH) in the presence of Quranic injunctions (4.135) where it is strongly held that we should stand firmly for justice even against ourselves or our kin etc. There are glorious examples in the Islamic history that whenever there was a call to administer justice there had been no distinction between the nearest one and the general public. In as much as during the days of Khulafa-e-Rashideen sentences were invoked on the direction of father to his son because it is the conscious of a person who believes in the Almighty Allah that he is performing his duties to administer justice without any fear or favour and there are also judgments, (precedented law) which leave it for a Judge to decide on a Bench to hear a case or not. Undoubtedly, the

superior judiciary in this country is also guided by the code of conduct of the Judges and they are bound to follow the same. In the instant case, on having taken notice of a campaign against the Chief Justice of the country and his family and the judiciary, the Registrar of this Court requested to take some action as such proceedings in terms of Article 184(3) of the Constitution were drawn. Preliminary hearings were conducted to procure the attendance of Dr. Arsalan Iftikhar and Malik Riaz Hussain. Dr. Arsalan is present alongwith his counsel. Malik Riaz Hussain, despite notice, did not turn up. Mr. Zahid Hussain Bokhari, learned counsel has appeared and stated that he has been engaged as counsel by Malik Riaz Hussain and he will file power of attorney on his behalf as his client is in U.K. in connection with medical treatment. The learned Attorney General is also available to assist the Court and in due course of hearing attendance of the same and other responsible officers/officials of the Bahria Town, whose names have been mentioned in the order of 6<sup>th</sup> June, 2012 have also been procured. Having gone of these proceedings and taking into consideration arguments so put forth by the learned Attorney General and also considering the Islamic Injunctions the hearing of this case shall continue by this Bench minus one of us (Iftikhar Muhammad Chaudhry, CJ) and the case shall be fixed before the said Bench after the conclusion of regular hearing listed before us today.

**Chief Justice**

**Judge**

**Judge**

**ISLAMABAD**

**07.06.2012**

*M. Azhar Malik*