

IN THE SUPREME COURT OF PAKISTAN
(Review Jurisdiction)

PRESENT:

Mr. Justice Umar Ata Bandial
Mr. Justice Maqbool Baqar
Mr. Justice Manzoor Ahmad Malik
Mr. Justice Mazhar Alam Khan Miankhel
Mr. Justice Sajjad Ali Shah
Mr. Justice Syed Mansoor Ali Shah
Mr. Justice Munib Akhtar
Mr. Justice Yahya Afridi
Mr. Justice Qazi Muhammad Amin Ahmed
Mr. Justice Amin-ud-Din Khan

CIVIL REVIEW PETITION NO.296 of 2020 &

CIVIL REVIEW PETITION NO.297 of 2020 &

CIVIL REVIEW PETITION NO.298 of 2020 &

CIVIL REVIEW PETITION NO.299 of 2020 &

CIVIL REVIEW PETITION NO.300 of 2020 &

CIVIL REVIEW PETITION NO.301 of 2020 &

C.M.A NO.4533 OF 2020 IN CRP NO. NIL OF 2020 &

CIVIL REVIEW PETITION NO.308 of 2020 &

CIVIL REVIEW PETITION NO.309 of 2020 &

CIVIL REVIEW PETITION NO.509 of 2020 &

C.M.A NO.3457 OF 2021 IN C.R.P.296 OF 2020 &

CR. ORIGINAL PETITION NO.10 OF 2021 &

CR. ORIGINAL PETITION NO.11 OF 2021.

Justice Qazi Faez Isa

... Petitioner(s)
(in CRP No.296/2020)

Sindh High Court Bar Association

... Petitioner(s)
(in CRP No.297/2020)

Mrs. Sarina Isa

... Petitioner(s)
(in CRP No.298/2020)

Supreme Court Bar Association

... Petitioner(s)
(in CRP No.299/2020)

Muhammad Asif Reki President
Quetta Bar Association

... Petitioner(s)
(in CRP No.300/2020)

Shahnawaz Ismail, VC Punjab Bar Council *... Petitioner(s)*
(in CRP No.301/2020)

Balochistan Bar Council *... Petitioner(s)*
(in CRP No.308/2020)

Pakistan Federal Union of Journalists *... Petitioner(s)*
(in CRP No.309/2020)

Abid Hassan Minto *... Applicant(s)*
(in CMA No.4533/2020
in CRP No.Nil of 2020)

Pakistan Bar Council thr. VC *... Applicant(s)*
(in CRP.509 of 2020)

Mrs. Sarina Isa *... Petitioner(s)*
(in Cr.O.P.10/2020)

Mrs. Sarina Isa *... Petitioner(s)*
(in Cr.O.P.11/2020)

VERSUS

The President of Pakistan and others *...Respondent(s)*
(in CRP.296-301 & 308-309 & CRP.509 of 2020)

The Supreme Judicial Council thr. its Secretary and others *... Respondent(s)*
(in CMA No.4533 of 2020)

Ch. Fawad Hussain *... Respondent(s)*
(in Cr.O.P.10/2020)

Sami Ibrahim & another *... Respondent(s)*
(in Cr.O.P.11/2020)

For the petitioner(s) : Mr. Justice Qazi Faez Isa (in-person)
Assisted by Barrister Kabir Hashmi.
(in CRP.296/2020 & CMA No.3457 of 2021)

Mrs. Sarina Faez Isa (in-person)
(in CRP.298/2020 & Cr.O.P.10-11 of 2021)

Mr. Hamid Khan, Sr. ASC.
Syed Rifaqat Hussain Shah, AOR.
(in CRP.299, 300, 301 & 308/2020)

Mr. Rasheed A. Rizvi, Sr. ASC.
(through Video Link from Karachi).
(in CRP.297 & 309/2020)

Nemo.
(in CMA.4533 of 2020)

Syed Rifaqat Hussain Shah, AOR.
(in CRP.509/2020)

For Federation of Pak. : Ch. Aamir Rehman, Addl. AGP.

For President, PM & AGP. : Mr. Sohail Mahmood, Addl. AGP.

Date of hearing : 26.04.2021.

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ORDER

For reasons to be recorded later, these review petitions
are dismissed.

I do not agree with the dismissal and append my note accordingly. Sd/- JUDGE	Sd/- JUDGE
I agree with my brother HJ Maqbool Baqar. Sd/- JUDGE	I agree with my bother Justice Maqbool Baqar. Sd/- JUDGE
I agree with my brother Maqbool Baqar, J. Sd/- JUDGE	Sd/- JUDGE
I don't. My reasons are appended. Sd/- JUDGE	Sd/- JUDGE
I agree with my brother Justice Maqbool Baqar. Sd/- JUDGE	Sd/- JUDGE

Islamabad,
26.04.2021
*Irshad Hussain/**

NOT APPROVED FOR REPORTING.

ORDER OF THE BENCH

By majority of six to four (Justice Umar Ata Bandial, Justice Sajjad Ali Shah, Justice Munib Akhtar and Justice Qazi Muhammad Amin Ahmed dissenting), these review petitions, except as mentioned below, are allowed.

2. Civil Review Petition No.296 of 2020 titled Justice Qazi Faez Isa vs. The President of Pakistan & others) is allowed by five and dismissed by five Hon'ble members of the Bench.

Sd/-
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JUDGE

Islamabad,
26.04.2021
*Irshad Hussain/**

NOT APPROVED FOR REPORTING.

SHORT ORDER

For the reasons to be recorded later, captioned Review Petitions are allowed and the directions contained in paras 4 to 11 of the impugned short order dated 19.06.2020 passed in Const. Petition No.17/2019 and other connected matters, alongwith supporting detailed reasons given in the majority judgment of the same date, are **recalled and set-aside**. All the subsequent proceedings, actions, orders, information and reports in pursuance of the directions contained in the short order dated 19.6.2020 and the detailed reasons thereof, are declared to be illegal and without any legal effect. Resultantly, any such proceedings, actions, orders or reports cannot be considered or acted upon and pursued any further by any forum or authority including the Supreme Judicial Council.

Sd/-
(Maqbool Baqar, J.)

Sd/-
(Manzoor Ahmed Malik, J.)

Sd/-
(Mazhar Alam Khan Miankhel, J.)

Sd/-
(Syed Mansoor Ali Shah, J.)

Sd/-
(Amin-ud-Din Khan, J.)

Islamabad,
26th April, 2021.

Yahya Afridi, J. For the reasons to be recorded later, all review petitions except C.R.P. No. 296 of 2020, are allowed and the directions contained in paragraphs No. 4 to 11 of the order dated 19.06.2020 and detail judgment dated 23.10.2020 passed in Constitution Petition No. 17 of 2019 and other connected petitions are recalled. Consequently, all the subsequent proceedings, actions, orders and reports made in pursuance to the said directions are declared to be of no legal effect and/or consequences.

Sd/-
Judge