

IN THE SUPREME COURT OF PAKISTAN

(Original Jurisdiction)

PRESENT:

Mr. Justice Umar Ata Bandial, CJ
Mr. Justice Ijaz ul Ahsan
Mr. Justice Syed Mansoor Ali Shah

Const. Petition No. 21 of 2022 and C.M.A. No. 5029 of 2022

Imran Ahmad Khan Niazi

...Petitioner(s)/Applicant(s)

Versus

Federation of Pakistan through
Secretary, Law and Justice Division,
Islamabad and another

...Respondent(s)
(In both cases)

For the Petitioner(s) : Kh. Haris Ahmad, Sr. ASC
Assisted by:
Dr. Yasir Aman Khan, ASC.
Ms. Zainab Ch. Adv.

For the Federation : Mr. Makhdoom Ali Khan, Sr. ASC.
(Via video link from Karachi)

For the NAB : Ch. Mumtaz Yousaf, Addl. PG.
Mr. M. Sattar Awan, DPG.

Date of Hearing : 16.05.2023

ORDER

At the outset of the hearing the Bench expressed its concern to the learned counsel for the parties regarding the length of the proceedings in the case which has so far spanned across 46 hearings. Of these 27 sessions were consumed by learned counsel for the petitioner while 19 sessions were utilised by the learned counsel for the respondent who is presently arguing his case. The Bench's anxiety to conclude the case is caused by the fact that the Court's summer vacations are to begin next month and the present Bench may not be available at the principal seat till mid-September, 2023.

2. To expedite the early decision of the case, the learned counsel for the parties are directed to file concise statements in Court containing their respective legal formulations cross-referencing the material already on record. In his concise statement the learned counsel for the petitioner should specify

the provisions of the National Accountability (Amendment) Acts, 2022 ("**2022 Amendment Acts**") that are assailed by him, the grounds for challenging the said provisions and the precise Fundamental Rights that these provisions allegedly violate. Learned counsel for the petitioner has also informed that recently Parliament has enacted the National Accountability (Amendment) Act, 2023 ("**2023 Act**"). The 2023 Act rectifies some of the failings identified by the petitioner in the 2022 Amendment Acts. Therefore, he may also file his written submissions on the 2023 Act. Since no oral arguments were addressed by learned counsel for the petitioner on the 2023 Act, he shall provide an advance copy of his written submissions on the 2023 Act to the learned counsel for the respondent. The latter may, if so inclined, answer any allegations raised therein.

3. The learned counsel for the petitioner seeks a week's time to provide the learned counsel for the respondent an advance copy of his concise statement on the amendments made by the 2023 Act. Thereafter, the learned counsel for both parties shall have a week's time to file their respective concise statements in Court. The Bench will peruse both the concise statements in chambers. Adjourned.

Sd/-
Chief Justice

Sd/-
Judge

Sd/-
Judge

Islamabad
16.05.2023
Sarfray/Mehar LC

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