

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

**PRESENT:**

Mr. Justice Umar Ata Bandial, CJ  
Mr. Justice Munib Akhtar

**CONSTITUTION PETITION NO.2 OF 2022**

(Re: restraining Political Parties from holding Public Meetings in  
Islamabad before Voting on No-confidence Motion)

Supreme Court Bar Association of Pakistan  
through its President

...Petitioner(s)

**Versus**

Federation of Pakistan through  
M/o Interior Islamabad and others

...Respondent(s)

For the Petitioner(s) : Mr. Mansoor Usman Awan, ASC.  
Mr. Ahsan Bhoon, ASC thr. VL Lahore.  
Mr. Waseem Mumtaz Malik, Secy. SCBA.

For Federation of Pak : Mr. Khalid Javed Khan,  
Attorney General for Pakistan.  
a/w Ahsan Younas, IGP Islamabad &  
Mr. Muhammad Ayub,  
Addl. Secretary Interior.

For Govt. of Sindh : Mr. Rafiq Rajorvi, Addl. AG Sindh.

Date of Hearing : 19.03.2022

**ORDER**

The learned counsel for the petitioner has read to us  
the first prayer in his petition which is to the following effect:

"Direct all State functionaries to act strictly in  
accordance with the Constitution and the law and  
they be restrained from acting in any manner  
detrimental to and unwarranted by the Constitution  
and the law."

2. Certain unpleasant happenings that occurred last  
evening at the gate of the Sindh House, situate in the Red Zone in  
Islamabad, have been mentioned to the Court. The learned  
Attorney General for Pakistan, present in Court, was candid

enough to express deep regret, particularly the resort to violence by the protestors who caused damage to and pulled down the gate of the Sindh House. He informs that a FIR No.179 of 2022 dated 18.03.2022 about the said occurrence was lodged by SHO of Police Station Secretariat, Islamabad under Sections 149, 147, 188, 186 and 427 of PPC. This was followed by the arrest of 13 persons. The offences mentioned above are all bailable and this morning all the accused persons have been released on bail by the Executive Magistrate, Islamabad. He also informs us that the Federal Government is filing a Reference under Article 186 of the Constitution of Islamic Republic of Pakistan ("**Constitution**") seeking delineation of the scope and meaning of certain provisions contained in Article 63A of the Constitution.

3. The petitioner, Supreme Court Bar Association, is before us in aid of public interest to assure that the rights of Parliamentarians are exercised in accordance with the Constitution and the law. The Attorney General for Pakistan has assured us of the Federal Government's commitment to the process under Article 95 of the Constitution to be followed strictly in accordance with law. Whilst expressing his regret on behalf of the Federal Government about the events that took place last evening, he affirms the Government's resolve for the law to take its course with respect to the offences that were committed during the said incident. The Inspector General of Police, Islamabad is directed to file a report on the action taken by Islamabad Police regarding the said incident and the present status of the case. Notice is also issued to the respondents in this petition for their assistance in

this matter of ensuring a smooth, lawful and peaceful completion of the process under Article 95 of the Constitution.

4. Insofar as the political aspect of the proceedings under Article 95 of the Constitution is concerned, that is a non-legal matter which does not relate to jurisdiction of this Court. With respect to the proceedings under Article 95 of the Constitution being conducted in accordance with the Constitution and the law, except the incident of the last evening, there is presently nothing before us that invites our attention either in the public interest or on account of the violation of constitutional principles. Be that as it may, the said political process involves certain political parties. It is important that the political parties which are not before us presently be issued notices for rendering their assistance in the matter. Accordingly, notice be issued to Pakistan Tehreek-e-Insaf, Pakistan Muslim League (N), Pakistan People's Party, Jamiat Ulema-e-Islam(F), Balochistan National Party (Mengal) and Awami National Party through their respective Secretary Generals, who shall be heard only through their counsel on their behalf.

To come up for hearing of this petition along with a Reference, if any, that is filed under Article 186 of the Constitution on 21.03.2022 at 1:00 pm.

**Chief Justice**

**Judge**

Islamabad  
19.03.2022

**NOT APPROVED FOR REPORTING.**