

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

Const. Petition No.D-5343 of 2017
Const. Petition No.D-5347 of 2017
Const. Petition No.D-5388 of 2017
Const. Petition No.D-5398 of 2017
Const. Petition No.D-5400 of 2017

Date	Order with signature of Judge
------	-------------------------------

1. For orders on Misc. 23230/2017.
2. For orders on Misc. 23231/2017.
3. For hearing of Misc. 22257/2017.
4. For hearing of Misc. 22258/2017.
5. For hearing of main case.

22.8.2017.

Mr. Ahmed Hussain holding brief for Dr. Muhammad Farogh Naseem, for petitioner in Const. Petition NoD-5343/2017.
Mr. Irfan Aziz Memon, for petitioner in Const. Petition No.D-5347/2017.
Mr. Faisal Siddiqui, for petitioners in Const. Petition No.D-5388/2017.
Mr. Salman Mirza, for petitioner in Const. Petition No.D-5398/2017.
Mr. Atiq-ur-Rehman, for petitioners in Const. Petition No.D-5400/2017.
Inspector Raza Mian in person on behalf of respondent No.7 in Const. Petition No.D-5388/2017.

Mr. Salman Talibuddin, Additional Attorney General for Pakistan.
Barrister Zamir Ahmed Ghunro, Advocate General Sindh alongwith Mustafa Mahesar, AAG and Zahid Hussain Khemtio, Deputy Secretary (Appeals), SGA & C Department, on behalf of Chief Secretary, Govt. of Sindh.
Waqas Qadeer Dar, Prosecutor General, Pakistan, NAB alongwith Mr. Yasir Siddique, Special Prosecutor, NAB.
Mr. Munsif Jan, Special Prosecutor, NAB.

.....

1. Dismissed having become infructuous.
2. Notice to petitioner, Additional Attorney General for Pakistan and Prosecutor General for Pakistan, NAB for the next date.


3 to 5. The Deputy Secretary (Appeals), SGA&C Department, Government of Sindh, has placed on record parawise comments on behalf of respondent No.1 in Constitution Petition No.D-5343 of 2017, copy whereof is supplied to Mr. Ahmed Hussain, advocate holding brief for Dr. Muhammad Farogh Naseem, advocate while the Prosecutor General, NAB, has placed on record Parawise Comments and Executive Summary in C.P. No.D-5343 of 2017 annexing therewith lists of Member of Provincial Assembly Sindh (both former and present) as well as of functionaries of Government of Sindh (both former and present) facing NAB proceedings. The learned Additional Attorney General for Pakistan submits that one Nisar Ahmed filed Petition No.Nil of 2017 before the Honourable Supreme Court of Pakistan questioning the vires of the National Accountability Ordinance 1999 Sindh Repeal Bill, 2017, however, the Assistant Registrar (Civil-II),




Supreme Court of Pakistan, vide order dated 16.8.2017 returned the said petition being not entertainable, which has been assailed by Nisar Ahmed in Civil Misc. Appeal No.168 of 2017, which is pending. He has also placed on record photocopy of said CMA, which is taken on record.

At the request of Mr. Ahmed Hussain, Advocate holding brief for Dr. Farogh Naseem, Advocate for petitioner and learned Advocate General, Sindh who intends to file parawise comments in connected petitions, matters are adjourned to 11.9.2017 at 12 noon. Prior to that date the Federation shall also file its comments. Ad-interim order passed earlier to remain in field till next date of hearing. In the meanwhile, the Chief Secretary, Government of Sindh, shall ensure that the order dated 16.8.2017 is complied with in letter and spirit without any obstacle.

The learned Advocate General, Sindh, claims notice under Order XXVIA of CPC as the vires of the Bill of 2017 has been questioned in these proceedings. Office is directed to issue notice to the learned Attorney General and the Advocate General in above terms for next date. The learned Advocate General shall ensure compliance of the order dated 16.8.2017 whereby he was directed to place on record minutes of deliberations of Members of Provincial Assembly prior to the passage of the bill and confirmation whether the bill was placed before any sub-committee for deliberations before presentation in the Assembly coupled with the dissenting note of the Governor Sindh on the said Bill, which was placed before him for assent.


Judge


Chief Justice