



Supreme Court Bar Association Of Pakistan

Date: 24.07.2022

Ref: SCBAP/289

Press Statement.

Muhammad Ahsan Bhoon, President, Supreme Court Bar Association of Pakistan (SCBAP), has said that once again, the debate over the interpretation of the Article 63- A(1)b in the Country, (a matter purely related to the understanding of the Constitution), has been ignited, as such, he called upon and urged the Honorable Supreme Court of Pakistan, to take up the already filed review petition No C.R.P 197 of 2022 by the SCBAP, against the short Judgment passed by the apex Court, on 17-05.2022, in Presidential Reference No 01 of 2022, so as to culminate the controversy, and to restore the confidence of the public at large, on the Constitutional and democratic system. The President underlined that it is the right time for the apex Court to take up the pending petition of the SCBAP and to decide the matter for once and all, so that no one dares to point the finger towards the apex Court. The President observed that had the review petition being filed by the SCBAP been heard or taken up by the Court, the recent controversy arising over the interpretation of Article 63-A(1)b, (during the course of election of Chief Minister Punjab) may have been avoided. While referring to the short order dated 17.05.2022, the President said that it was not a unanimous decision, rather it was a split decision by (3 - 2) majority, which proves that there were certain touchstones that needed to be addressed, therefore, he demanded that the bench comprising upon Full Court be constituted, so as to reach conclusive interpretation and to maintain the confidence of public as well as of the political parties. He maintained that the (SCBAP), alongside the overwhelming majority of the legal fraternity, is of the opinion that the interpretation of Article 63(A) pertaining to the treatment of dissidents, is against the norms of natural justice, hence requires thorough and detailed debate. The President, in the end, called upon all the political parties to refrain from making the orders of the apex Court, controversial and its Hon. Judges and let the Court interpret the Constitutional matters.

Waseem Mumtaz Malik
Secretary

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PRESS RELEASE

Mr. Hafeez-ur-Rehman, Chaudhry, Vice-Chairman, Pakistan Bar Council has said that once again, the debate over the interpretation of the Article 63- A(1)b in the Country has been started, he urged upon the Honorable Supreme Court of Pakistan, to take up the Review Petition No C.R.P 197 of 2022 already filed by the Supreme Court Bar Association, against the short Judgment passed on 17-05-2022 by the Hon'ble apex Court, in Presidential Reference No 01 of 2022, to culminate the controversy, and to restore the confidence of the peoples of Pakistan on the Constitutional and democratic system. He emphasized that it is the right time for the apex Court to take up the pending Petition of the SCBA and to decide this matter once and for all. He observed that the Review Petition being filed by the SCBAP been heard or taken up by the Court, the recent controversy arising over the interpretation of Article 63-A(1)b, (during the course of election of Chief Minister Punjab) may have been avoided. While referring to the short order dated 17.05.2022, said that was not a unanimous decision, rather it was a split decision by (3 - 2) majority, which shows that there were certain touchstones that required to be addressed. Therefore, he demanded that Full Court bench be constituted, so as to reach conclusive interpretation and also to maintain the confidence of public as well as of the political parties. He said that the overwhelming majority of the legal fraternity, is of the view that the interpretation of Article 63(A) pertaining to the treatment of dissidents, is against the norms of natural justice, so requires thorough and detailed debate. He called upon all the political parties to refrain from making the Hon'ble Judges and orders of the apex Court, controversial and let the Hon'ble Court interpret the Constitutional matters.


Acting Secretary