

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

**Present:**

Justice Qazi Faez Isa, CJ  
Justice Syed Mansoor Ali Shah  
Justice Yahya Afridi  
Justice Amin-ud-Din Khan  
Justice Jamal Khan Mandokhail  
Justice Muhammad Ali Mazhar  
Justice Musarrat Hilali

1. **Civil Appeal No. 981 of 2018**

*Sardar Confucius Imam Qasrani.* ... *Appellant*

*Versus*

*Sardar Mir Badshah Khan Qaisarani and another...* ... *Respondents*

2. **CMA No. 10919/23 in Civil Appeal No.981/18**

*[Concise statement from Ch. Javaid Ahmad]*

3. **CMA No. 10920/23 in Civil Appeal No.981/18**

*[Concise statement from Yousaf Ayub Khan]*

4. **CMA No. 10921/23 in Civil Appeal No.981/18**

*[Concise statement from Behram Khan]*

5. **CMA No. 10939/23 in Civil Appeal No.981/18**

*[Concise statement from Muhammad Aijaz Ahmed Chaudhry]*

6. **Civil Appeal No. 982 of 2018**

*Hamza Rasheed Khan.* ... *Appellant*

*Versus*

*Election Appellate Tribunal, Lahore High Court,  
Lahore and others.* ... *Respondents*

7. **Civil Appeal No. 984 of 2018**

*Mumtaz Ahmad.* ... *Appellant*

*Versus*

*Fazal Mehmood and others.* ... *Respondents*

8. **Civil Appeal No. 985 of 2018**

*Sardar Confucius Imam Qasrani.* ... *Appellant*

*Versus*

*Sardar Mir Badshah Khan Qaisarani and another...* ... *Respondents*

9. **Civil Appeal No. 880 of 2015**

*Ch. Muhammad Arif Hussain.* ... *Appellant*

*Versus*

*Fayyaz Ahmed Khan Ghouri and others.* ... *Respondents*

10. **CMA No. 6370/17 in Civil Appeal No. 880/15**  
*[For setting aside ex-parte order]*

11. **CMA No. 7534/17 in Civil Appeal No. 880/15**  
*[For setting aside ex-parte order]*

12. **CM Appeal No. 22/2022 in C.P.NIL/2022**

*Supreme Court Bar Association of Pakistan etc.* ... *Appellants*

*Versus*

*Federation of Pakistan through Secretary, M/o Law and Justice, Islamabad and another.* ... *Respondents*

13. **CM Appeal No. 135/2022 in C.P.NIL/2022**

*Mohabbat Khan.* ... *Appellant*

*Versus*

*Federation of Pakistan through Secretary, M/o Law and Justice, Islamabad and another.* ... *Respondents*

14. **Constitution Petition No. 40 of 2022**

*Mir Muhammad Amin Umrani.* ... *Petitioner*

*Versus*

*Federation of Pakistan and another.* ... *Respondents*

15. **Civil Appeal No. 1946 of 2023**

*Muhammad Khan Junejo.* ... *Appellant*

*Versus*

*The Learned Appellate Tribunal for Sindh and others.* ... *Respondents*

16. **Civil Petition No. 2680 of 2023**

*Kashif Mehmood.* ... *Petitioner*

*Versus*

*Mehmood Ahmed and others.* ... *Respondents*

For the Appellants:  
*(In CAs. 981 & 985/18)*

Mr. M. Saqib Jilani, ASC.

(In CA. 982/18):	Nemo.
(In CA. 984/18):	Sh. Usman Karim-ud-Din, ASC.
(In CA. 880/15):	Mr. Muhammad Ahmed Qayyum, ASC. <i>(Through video-link from Lahore)</i>
(In CA. 1946/23):	Mr. Waleed Rehan Khanzada, ASC.
(In Const. P. 40/22):	Mr. Saeed Khurshid Ahmed, ASC.
(In CP. 2680/23):	Syed Asghar Hussain Sabzwari, Sr. ASC.
(In CM Appeal. 22/22):	Mr. Shahzad Shaukat, ASC.
	Mr. Muhammad Ahsan Bhoon, ASC. <i>(Through video-link from Lahore)</i>
(In CM Appeal. 135/22):	Nemo.
<u>For the Applicants:</u> (In CMA. 10920/23)	Mr. Abdul Rehman Qadar, ASC.
(In CMA. 10921/23):	Mr. Khurram Mahmood Qureshi, ASC.
(In CMA. 6370/17):	Mr. Khurram Raza, ASC. <i>(Through video-link from Lahore)</i>
(In CMA. 3/24):	Mian Abdul Rauf, ASC. Syed Rifaqat Hussain Shah, AOR.
(In CMA. 5/24):	Mr. Muhammad Amir Malik, AOR.
(In CMA. 6/24):	Mr. Makhdoom Ali Khan, Sr. ASC. Mr. Sikandar Bashir Mohmand, ASC.
On behalf of Samiullah Baloch:	Mr. Sanaullah Baloch, brother.
For Respondent No. 1: (In CA. 981/18)	Mr. Khalid Ibn-e-Aziz, ASC.
For Respondent No. 2: (In CA. 880/15)	Mr. M. Shahzad Shaukat, ASC.
For Respondent No. 3:	Mr. Khurram Raza, ASC. <i>(Through video-link from Lahore)</i>
For ECP:	Mr. Muhammad Arshad, Director-General, Law, ECP. Mr. Falak Sher, Legal Consultant.
<u>On Court Notice:</u> For the Federation:	Mr. Usman Mansoor Awan, Attorney-General for Pakistan.

For Govt. of Punjab: Mr. Khalid Ishaq, Advocate-General, Punjab.

For Govt. of Sindh: Mr. Saulat Rizvi,  
Additional Advocate-General, Sindh.  
(Through video-link from Karachi)

For Govt. of KP: Mr. Amir Javed,  
Advocate-General, Khyber Pakhtunkhwa.  
(Through video-link from Peshawar)

For Govt. of Balochistan: Mr. Ayaz Khan Swati,  
Additional Advocate-General, Balochistan.

For Islamabad Capital Territory: Mr. Ayaz Shaukat,  
Advocate-General, Islamabad.

Date of Hearing: 02.01.2024.

### **ORDER**

The learned Attorney-General for Pakistan and the Advocate-Generals of all the provinces and Islamabad Capital Territory state that they support the constitutionality and legality of section 232(2) of the Elections Act, 2017. Most of the counsel representing appellants/applicants/petitioners support the contention of the learned Attorney-General for Pakistan and the Advocate-Generals for the Provinces and Islamabad Capital Territory, whereas, Syed Asghar Hussain Sabzwari, learned senior counsel representing the petitioner in Civil Petition No. 2680/2023, Sh. Usman Karim-ud-Din, the learned counsel representing the petitioners in Civil Appeal No.984/2018 and Mr. Khurram Raza, the learned counsel representing the appellants in Civil Appeal No. 880/2015 canvass the contrary viewpoint, that is, a life time ban. Mr. Sanaullah Baloch states that he represents his brother, namely, Mr. Samiullah Baloch and supports the life time ban. Mr. Samiullah Baloch is granted an opportunity to engage counsel or to properly authorize his brother.

2. A number of counsel appear through video-link from other stations; they may attend the Court at Islamabad in view of the constitutional importance of the matter so that their submissions can be properly heard and understood.

3. We also welcome any senior counsel who wish to assist the Court on the constitutionality and legality of the matter in hand and appoint the following as *amici*: Learned Mr. Faisal Siddiqui, ASC, learned Mr. Uzair

Karamat Bhandari, ASC and learned Ms. Reema Omer, Legal Advisor, International Commission of Jurists, who may submit their written briefs and/or render assistance in Court. To come up on Thursday, 4 January 2024 at 11.30 am.

Chief Justice

Judge

Judge

Judge

Judge

Judge

Judge

Islamabad:  
02.01.2024.  
(M. Tauseef)