

# **THE SUPREME COURT RULES, 1980**

**with  
Commentary**

**By**

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## **DEDICATION**

This book is dedicated to my parents who cannot read and write but would like to make up their deficiency through me by extending unending encouragement which always helps me to go through such a laborious task with challenge and patience.



## PREFACE TO SECOND EDITION

Article 191 of the Constitution of Islamic Republic of Pakistan, 1973 stipulates that the Supreme Court may, subject to Constitution and the Law, make rules for the purpose of regulating its practice and procedure. So, the Supreme Court in exercise of the powers conferred under this Article made these Rules in the years, 1980. To cope with the changes and developments in the Constitution and the laws, certain amendments were incorporated in these Rules in the following years.

The first edition of this book was a maiden endeavor to provide a dossier having commentary on the subject of Supreme Court Rules, 1980, which was published in September, 2009. The second edition is being published for two reasons. Firstly, after sale of all copies of the first edition it is demand of the market to provide it with second edition of this book. Secondly, after the publication of first edition, there occurred certain developments which brought inevitable effects on the practice of the Court. So, in this edition an effort has been made to encapsulate those effects. For example, commentary under Order X, would, hopefully, be quite interesting for the readers since it highlights the course of action which this Court has adopted in order to meet an unusual situation when some cases were heard and disposed of by Benches, whose Judges thereafter either retired or ceased to hold office before pronouncement of judgments. Further, this edition carries case-law developed not only under these Rules but also under the previous Supreme Court Rules, i.e., the Supreme Court Rules, 1956. Thus, this edition encompasses many new features which were not included in the first edition.

I cannot help thanking all those who generously encouraged me on the publication of my first edition, which made it easier for me to bring this second edition. Mr. Sajid Mehmood Qazi, Additional Registrar, Supreme Court of Pakistan generously proposed to present my book to the Hon'ble Chief Justice of Pakistan, which act culminated into conferment of Commendation Certificate and an advance increment on me by the Hon'ble Chief Justice of Pakistan, Mr. Justice Iftikhar Muhammad Chaudhry.

I am also grateful of all those kind critics whose criticism helped me bringing this edition in order to come up their expectations. Despite having invested a great amount of time and care in brining this edition, valuable suggestions for improvements are always welcomed.

Islamabad  
September, 2011

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## **PREFACE TO FIRST EDITION**

This book is an endeavor to provide a dossier having complete and up-to-date amendments and commentary on the subject—the Supreme Court Rules 1980. This attempt further goes beyond to what has been aforesaid when it highlights and suggests some inevitable amendments to be made therein. However, for the purpose of brevity, while selecting and sifting materials it has been prioritized that unnecessary and recurrence of data may be avoided.

Paucity of work on the subject was spotted by Mr. Talib Hussain, Assistant Librarian, Supreme Court of Pakistan. He has also encouraged me, not only for undertaking this task, but also in the shape of undertaking tedious task of doing most of the research for this project. It would not be exaggeration to acknowledge here that without his encouragement this task would have not been so successfully completed. Therefore, I am highly indebted to his cooperation and encouragement. I am also grateful of Mr. Muhammad Abdul Basit, Proprietor of Federal Law House, Rawalpindi for providing me guidance with regard to format and standards of compilation of book and publishing it.

A great amount of time and care has been invested in the process of completing this task, however, valuable suggestions for improvement are warmly welcomed. Suggestions can be contributed by reaching to the author on the contacts giving below.

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1st September, 2009



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