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~~[TO BE INTRODUCED IN THE SENATE]~~

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further to amend the Islamabad High Court Act, 2010

WHEREAS it is expedient further to amend the Islamabad High Court Act, 2010 (XVII of 2010), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Islamabad High Court (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of Section 3, Act XVII of 2010.- In the Islamabad High Court Act, 2010 (XVII of 2010), in section 3, in sub-section (1), the words "from the provinces and other territories of Pakistan" shall be omitted.

STATEMENT OF OBJECTS AND REASONS

Since the establishment of the High Courts in Pakistan, the practice for the appointment and elevation of the Judges of the High Courts of provinces is that the lawyers registered with the provincial Bar Councils, High Courts Bar Associations and the Judges of the Lower judiciary of the respective provinces are considered for such appointments and elevation. But due to section 3 of the Islamabad High Court Act, 2010 the lawyers registered with the Islamabad Bar Council and Islamabad High Court Bar Association as well as the judges of the lower judiciary hardly get a chance to be appointed or elevated as the judge of the Islamabad High Court which is against the principle of legitimate expectancy and the practice being followed in all other High Courts. Therefore, this Bill seeks to address this anomaly.

SENATOR MUHAMMAD JAVED ABBASI
Member-in-Charge