



# The Sindh Government Gazette

Published by Authority

KARACHI SATURDAY NOVEMBER 15, 2025

## PART-I

Karachi, dated the 15<sup>th</sup> November, 2025.

No.S.Legis:3(1)/2025:- The following Ordinance made by the Governor of Sindh is hereby published for general information:-

### **THE CONSTITUTIONAL BENCHES OF HIGH COURT OF SINDH (PRACTICE AND PROCEDURE) ORDINANCE, 2025**

Sindh Ordinance No. III of 2025

### **AN ORDINANCE**

**WHEREAS**, to provide for practice and procedure of the Constitutional Benches of the High Court of Sindh;

**AND WHEREAS**, Article 202A (6) of the Constitution of the Islamic Republic of Pakistan, 1973, enables the Provincial Assembly of Sindh to provide for the practice and procedure of the Constitutional Benches of the High Court of Sindh, to hear and decide the cases and exercise the jurisdiction vested in the High Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973; **Preamble.**

**AND WHEREAS**, the Provincial Assembly is not in session and the Governor of Sindh is satisfied that circumstances so exist that render it necessary to take immediate action;

**NOW, THEREFORE**, in exercise of the powers conferred under clause (1) of Article 128 of the Constitution

of the Islamic Republic of Pakistan, 1973, the Governor of Sindh is pleased to make and promulgate the following Ordinance:-

1. (1) This Ordinance may be called the Constitutional Benches of High Court of Sindh (Practice and Procedure) Ordinance, 2025. **Short title, extent and commencement.**
  - (2) It shall extend to the whole of the Province of Sindh.
  - (3) It shall come into force at once.
2. In this Ordinance, unless there is anything repugnant in the subject or context – **Definitions.**
  - (a) "Article" means an Article of the Constitution of the Islamic Republic of Pakistan, 1973;
  - (b) "Commission" means the Judicial Commission of Pakistan constituted under Article 175A of the Constitution of the Islamic Republic of Pakistan, 1973;
  - (c) "Constitution" means the Constitution of the Islamic Republic of Pakistan, 1973;
  - (d) "Constitutional Bench" means the Benches constituted under Article 202A of the Constitution, comprising of the Judges of the High Court;
  - (e) "Head" means the Head of the Constitutional Benches and includes any Judge appointed as Acting Head of the Constitutional Benches under Section 5; hereof;
  - (f) "High Court" means the High Court of Sindh constituted under Article 192 of the Constitution.
3. (1) Every application, cause, matter or petition filed before the High Court falling within Article 199, shall be heard and decided exclusively by the Constitutional Benches constituted under Article 202A of the Constitution. **Constitutional Benches.**
  - (2) Every application, cause, matter or petition filed under Article 199 of Constitution and pending in the High Court, prior to the enactment of the Constitution (Twenty-seventh Amendment) Act, 2025 (XXXII of 2025), shall stand transferred to and shall be heard and decided exclusively by the Constitutional Benches.
4. (1) The Judges, nominated by the Commission, under clause (1) of Article 202A, shall constitute the Constitutional Benches, which shall consist of Judges of the High Court, and the senior-most Judge from amongst the Judges so nominated shall head the Constitutional Benches. **Judges of the Constitutional Bench.**



(2) The Judges so nominated under sub-section (1), shall hold office as may be determined by the Commission under clause (1) of Article 202A; provided that such period may not preferably be less than six months.

(3) The Head may request the Chairman of the Commission to add to, or reduce the number of Judges depending on the work load of the Constitutional Benches and may also make recommendations to the Commission for specific Judges to be added or removed from the Constitutional Benches at any time for its consideration as per the requirement of such Benches.

5. Acting Head of the Constitutional Benches-

Acting Head of  
the Constitutional  
Benches.

At any time when:

- a) the office of the Head of the Constitutional Benches is vacant; or
- b) the Head of the Constitutional Benches is absent or is unable to perform the functions of his office due to any other cause,

the senior most Judge from amongst the remaining Judges of the Constitutional Benches, will function as the Acting Head of the Constitutional Benches, until such time the Commission appoints the permanent Head of the Constitutional Benches.

6. Once a Judge has been nominated as a Judge of the Constitutional Benches by the Commission under Article 202A, any recusal or refusal to be a member of the Constitutional Benches upon his/her nomination, will *prima facie* amount to misconduct and his/her case shall be forwarded by the Head to the Supreme Judicial Council under Article 209 of the Constitution, for appropriate action in accordance with the Constitution;

Recusal or  
refusal by a  
nominated  
Judge.

Provided that a Judge of the Constitutional Benches may recuse on a case-to-case basis in the interests of justice. For example, *inter alia*, if the advocate appearing in the case, is a close relative of the Judge.

7. (1) The Head of Constitutional Benches shall appoint an Additional and/or Deputy Registrar of the Constitutional Benches from the existing staff of the High Court, who shall set up a separate Secretariat for cases, which shall fall within the jurisdiction of the Constitutional Benches from the budget of the High Court at High Court or Circuit Court in Sindh.

Practice and  
Procedure of  
Constitutional  
Benches.

(2) The Additional and/or Deputy Registrar, as the case may be, of High Court and Circuit Court of the Province of Sindh may with the consent of the Head of Constitutional Benches transfer as may be appropriate any staff, within any

branch of the respective Bench, as he/she needs to effectively provide requisite administrative support to the Constitutional Benches at High Court and Circuit Court, where the matter is pending, respectively.

(3) The Additional Registrar or Deputy Registrar shall keep all other cases separate from the cases which fall within the jurisdiction of the Constitutional Benches in an orderly fashion based on first in, first out basis, meaning thereby the cases filed first shall be fixed for hearing on priority.

(4) The cases shall be fixed before the Constitutional Benches on a first in first out basis unless there is an interim stay/injunction in operation or an urgent application is made, which shall be put up before the respective High Court or Circuit Court, as the case may be.

8. An application pleading urgency or seeking interim relief, filed in a cause or matter shall be fixed for hearing within fourteen days from the date of its filing.

Application for fixation of urgent matters.

9. Unless the law so requires for a decision to be made within a stipulated period, every cause or matter in the Constitutional Bench shall be heard at its turn based on first in, first out basis, whereby the cases filed first shall be heard first.

Hearing etc.

10. The High Court of Sindh may make rules for carrying out the purpose of this Ordinance.

Power to make rules.

11. Notwithstanding anything contained in any other law, rules, or regulations for the time being in force, or any judgment of any Court, including the Supreme Court and a High Court, the provisions of this Ordinance shall prevail to the extent of any inconsistency."

Act to override other laws etc.

(SYED AWAIS QADIR SHAH)  
ACTING GOVERNOR OF SINDH

Karachi,

Dated: the 15 November, 2025