

ISLAMABAD HIGH COURT, ISLAMABAD

F.No.154/Legis./IHC/ 566

Dated: 06/11/2023

NOTIFICATION

“Procedure for disposal of Miscellaneous Applications (under-objection)”

To regulate the practice and procedure of Courts in relation to

Disposal of Miscellaneous Applications (under-objection) & Objection cases.

Islamabad High Court has adopted the Rules & Orders of Lahore High Court, Lahore with necessary modifications, as may be made from time to time vide this Court’s Notification No.354/Legis/IHC dated 28-08-2019.

In exercise of the powers conferred by Article 202 of the Constitution of the Islamic Republic of Pakistan, 1973, the Hon’ble Chief Justice and Judges of the Islamabad High Court, Islamabad, are pleased to direct that in the Rules and Orders of the Lahore High Court, the following amendments shall be made:

AMENDMENTS

1. After Rule 9-A, Chapter-1, Part-A, Volume-V, Lahore High Court, Rules & Orders, the following new rule shall be inserted: -

“9-B. Miscellaneous Applications (under -objection) in cases fixed for hearing:

(i) *If a main case is fixed for hearing within seven days of filing of under-objection application, the petitioner shall have to remove the objections and resubmit the file well before the date fixed for hearing of main case.*

(ii) *If the petitioner does not receive back the under-objection Application well in time, prior to the date fixed in the main case, such application shall be fixed before the Hon’ble Court along with the main case, even in the case that the prescribed seven days’ time is not expired.*

(iii) *If the under-objection Application is received back prior to the date fixed for hearing of main case, the petitioner shall have to resubmit such application prior to the date fixed, after removal of objections. If he failed to do so, the Institution Branch shall not receive back the file till that the main case is returned from the Hon’ble Court.*

(iv) *If on the date fixed, the main case is decided by the Hon’ble Court, such Miscellaneous Application (under-objection) which was received back by the petitioner for removal of objection or any other miscellaneous application (under-objection), except where provided by any other law, shall be considered as infructuous and not to be entertained by the Institution Branch after disposal of the main case.*

Fresh Cases (under-objection):

All types of fresh cases (under-objection) wherein no one turned up for collecting the same to remove office objection within seven days shall be included in Motion Causes List for placement before the Hon’ble Court, following rest of the procedure as provided in Rule 9.A, Part A, Chapter-1, Volume-V, Lahore High Court Rules & Orders (supra). Objection cases shall be fixed before the Court immediately after the expiry of 07 days’ time prescribed for the removal of office objections.”

SARDAR TAHIR SABIR
(REGISTRAR)

Copy forwarded for information to:-

1. Secretary to Hon'ble Chief Justice, Islamabad High Court.
2. Private Secretaries to the Hon'ble Judges, Islamabad High Court.
3. The Attorney General for Pakistan.
4. The Advocate General for Islamabad.
5. The Secretary, Ministry of Law & Justice, Islamabad.
6. P.S. to Registrar, Islamabad High Court.
7. The Administrative Judge, Special Courts/Tribunals, Federal Judicial Complex, Islamabad.
8. P.A. to Member Inspection Team, Islamabad High Court.
9. The District & Sessions Judges (East & West), Islamabad.
10. The Secretary, Pakistan Bar Council, Islamabad.
11. The Secretary, Supreme Court Bar Association, Islamabad.
12. The Secretary, Islamabad Bar Council, Islamabad.
13. The Secretary, Islamabad High Court Bar Association, Islamabad.
14. The Secretary, District Bar Associations, Islamabad & Rawalpindi.
15. P.A. to all Additional Registrars/AMIT.
16. All Deputy Registrars/DMIT/R&RO.
17. All Assistant Registrars.
18. The Assistant Registrar (I.T.), to upload on official website.
19. Office Record.