

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

**ORDER SHEET**

CIVIL MISC. APPEAL NO.	4	OF	2020
	IN		
CONST. PETITION NO.	NIL	OF	2019
Asad Ali Khan & others	Versus	...	Appellants.
Province of Punjab thr. Secretary Govt. of Punjab & others		...	Respondents.

<b>PRAYER:-</b>	"That relying on the above submission and assertions mentioned in the Constitution Petition this Civil Misc. Appeal may very kindly be allowed and the order dated 18.12.2019 may very kindly be set aside and the Constitutional Petition may kindly be entertained and fixed for hearing before the Hon'ble Court in the Supreme interest of justice."
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<b><u>DATE OF HEARING</u></b>	<b><u>ORDER OF HON. CHIEF JUSTICE/JUDGE</u></b>
22.04.2020.	<p style="text-align: center;">Mr. M. Nawazish Ali Pirzada, ASC for the appellants.</p> <p style="text-align: center;">.....</p> <p>Submits that Section 3 of the Punjab Local Governments Act, 2019 ("<b>Act</b>") violates the provisions of Articles 17 and 140A of the Constitution of Islamic Republic of Pakistan, 1973 ("<b>Constitution</b>") insofar as elected local governments having tenure until 2021, being the third tier of the Government, stand dissolved. The appellants who were elected to public offices in the dissolved local governments of Punjab are personally affected by the Act through the infringement of their aforementioned constitutional rights. Moreover, the function of delimitation of constituencies performed by the Election Commission of Pakistan under Article 222 of the</p>

**ATTESTED**

Senior Court Associate  
Supreme Court of Pakistan  
Islamabad

Constitution read with the *ratio decidendi* of the judgment of this Court **Province of Sindh vs. M.Q.M.** (PLD 2014 SC 531) has been overridden by Sections 8 to 17 of the Act. The impugned provisions of the Act transgress the rights under Articles 17 and 140A of the Constitution of all elected officers of local governments in the Province including the appellants. Such violations which affect the fundamental rights of a large body of persons representing all the electors in the Province are questioned in the present petition.

2. The submissions made by the learned counsel for the appellants, *prima facie*, attract the provisions of Article 184(3) of the Constitution. Whether the contents of the Constitution Petition fully reflect these grievances/submissions can be examined at the time of hearing of the main petition. Office is directed to register the Constitution Petition and fix the same in Court for hearing.



*Umar Ata Bandial*  
Umar Ata Bandial  
Judge

Certified to be True Copy

*Senior Court Associate*  
Senior Court Associate  
Supreme Court of Pakistan  
Islamabad

7/28/20  
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