SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:
Mr. Justice Qazi Faez Isa
Mr. Justice Syed Hasan Azhar Rizvi

Civil Petition No.1743 of 2020
(against the order dated 17.01.2020 of the Federal Service Tribunal, Islamabad passed in M.P. No. 1476 of 2018 and 1411 of 2019 in Appeal No.1098(R)CE of 2001)

Shaukat Ali. …*Petitioner(s)*

Versus

State Life Insurance Corporation of Pakistan through its Chairman and another. …*Respondent(s)*

For the Petitioner(s) : Mr. Hifz-ur-Rehman, ASC along with the Petitioner

For Respondents No. 1 & 2 : Rana Waqas Lateef Khan, ASC

Date of Hearing : 02.03.2023

O R D E R

Qazi Faez Isa, J. The learned Mr. Hifz-ur-Rehman represents the petitioners who he states had availed the 'Voluntary Retirement/Separation Scheme for Officers' ('**the Scheme**') and retired from service with the State Life Corporation of Pakistan (the respondent No.1). He submits that when the salary of serving officers of respondent No. 1 was increased, and consequently their pension, the petitioner too would be entitled to such enhanced pension. He submits that the miscellaneous application filed by the petitioner was dismissed by the Federal Service Tribunal ('**the Tribunal**') on the point of its belated filing despite the fact that the petitioner had a good case, and he relies on the (unreported) judgment of this Court in the case of *Ch. Azhar Ali Safeer v the State Life Insurance Corporation.*[1]

[1] Judgment dated 3 June 2009 in Civil Petition Nos. 591, 612 and 630/2003.

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2. Learned Rana Waqas Lateef Khan has filed *caveat* on behalf of the respondents. The learned counsel too relies on the judgment of this Court in the case of *Ch. Azfar Ali Safeer* and on the (unreported) judgments of this Court mentioned in the reported judgment of the Lahore High Court in *Wali-ur-Rehman v State Life Insurance Corporation of Pakistan.*[2] He states that the issues in hand with regard to limitation and whether the said pension is payable have already been decided in the said judgments of this Court.

3. The Tribunal dismissed the petitioner's miscellaneous application which had assailed the order dismissing his review petition in respect of the judgment of the Tribunal, and the Tribunal did so in accordance with the law. We have also read the referred to judgments of this Court and the issues raised herein have already been decided. Therefore, leave to appeal is declined and consequently this petition is dismissed.

4. During the hearing the learned counsel for the petitioner repeatedly referred to the Supreme Court as the '*Honourable Supreme Court*' and in his petition referred to this Court as the '*Honourable Court*'. We enquired from him whether the Supreme Court or any High Court can be *honourable* and he drew our attention to the cited judgment of the Lahore High Court wherein the learned Judge had used the honorific *Hon'ble*. It transpires that the learned Judge used the honorific *Hon'ble* as a prefix twelve times when referring to the Supreme Court and four times when referring to a Division Bench of the High Court, that is, a total of sixteen times.

[2] 2018 PLC (C.S.) 1230.

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5. A practice seems to have developed among lawyers and judges of using the honorific *honourable/hon'ble* and *learned* when referring to the Supreme Court and the High Courts. At times, the Supreme Court is also referred to as 'August Court' or 'Apex Court'. However, such honorifics or prefixes are not used with other institutions such as Parliament, Senate, National Assembly or the provincial assemblies, which naturally leads one to question the distinction.

6. The Constitution of the Islamic Republic of Pakistan (**'the Constitution'**) refers to this Court as the *Supreme Court* and to the High Courts as *High Courts*. The Constitution also does not use any prefix or honorific before these courts nor uses the terms *August* or *Apex* for the Supreme Court. It serves us best when we use the language of the Constitution with regard to institutions mentioned therein. Those whose vocation requires proper use of language should strive for accuracy, and for advocates and judges the preference should be to use the language of the Constitution.

7. In the birthplace of the English language, the Supreme Court and High Courts are neither referred to as *honourable* or *learned*. The British Parliament, which is referred to as the *mother of parliaments,* is also not referred to as *honourable.* However, members of the British Parliament are referred to as Right Honourable. Usage of the honorific 'honourable' with inanimate institutions, like courts, is linguistically inappropriate.

8. The reason for the learned counsel to add the honorific *honourable* before mentioning this Court was probably to

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show deference. The former Chief Justice[3] of an Indian High Court has this to say about such use:

> 'To some extent, judges are responsible for this incorrect usage. I cannot say when or by whom this practice was started but it appears that at some point in time someone mistakenly used it and then blindly followed, and judgments began using it. Lawyers, the media, and other Indian writings followed suit and adopted it as a fashion - perhaps they sought to unnecessarily glorify or feared offending the judges.'[4]

9. English is not the mother tongue of most Pakistanis, including ours. Therefore, mistakes do occur in its usage. Accordingly, we consulted dictionaries to ascertain when the honorific *honourable* (in American English the letter 'u' is dropped) is used, and the following are some of the definitions:

> '**honourable** (U.S. **honorable**).
> 1. bringing or worthy of honour.
> 2. (**Honourable**) a title given to certain high officials, the children of some ranks of the nobility, and MPs.'[5]

> '**Honorable.** A title of respect given to judges, members of the U.S. Congress, ambassadors, and the like.'[6]

> '**Honorable**. Primarily, commendable, estimable, illustrious, meritorious, noble, respectable in quality, up to the standard of respectability, worthy of honor. Derivatively, it is used in this country as a title of courtesy for various classes of officials, but without any clear line of distinction;'[7]

> '**honourable** or (US) **honorable**.
> 1. deserving or worthy of honour.
> 2. having high moral principles.
> 3 (**Honourable**) a prefix to the names of certain people as a courtesy title.'[8]

> '**Honorable** *Adjective*
> hon·or·able
> 1: deserving of respect or high regard : deserving of honor

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[3] Yatindra Singh, CJ.
[4] https://theleaflet.in/is-it-a-judge-who-is-honble-or-a-court/ (accessed on 2 March 2023).
[5] *Oxford English Dictionary* (Eleventh Edition), p. 684.
[6] *Black's Law Dictionary* (Seventh Edition), p. 741.
[7] *Corpus Juris Secundum* 41, Volume XLI, p. 41.
[8] *Chambers 21st Century Dictionary*, p. 646.

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> *an honorable profession*
> 2a: of great renown:
> *the college's long and honorable history*
> b: entitled to honor or respect - used as a title for the children of certain British noblemen and for various government officials
> *the Honorable Judge Smith*
> *the Honorable Senator from California*
> 3: performed or accompanied with marks of honor or respect
> 4a: attesting to creditable conduct
> *honorable wounds*
> b: consistent with a reputation that is not tarnished or sullied
> *an honorable withdrawal*
> *received an honorable discharge from the army*
> 5: characterized by integrity: guided by a keen sense of duty and ethical conduct
> *Brutus is an honorable man - William Shakespeare*
> *assured her that his intentions were honourable."*[9]

Therefore, our understanding that *honourable* (or *honorable)* is not to be used as an honorific or prefix with inanimate objects and institutions, including all courts, stands confirmed.

10. Judges may be referred to as *honourable* (or the abbreviated *hon'ble*) or *learned.* Any use of language that is respectful and concise is sufficient. However, it is irksome when these honorifics and *Sir* are used profusely; which we have invariably found to serve as a substitute for meaningful arguments.[10]

11. We expect litigants, counsel and judges to adhere to the aforesaid observations to ensure clarity, brevity and to avoid the perception of being obsequious.

Judge

Judge

Bench-II Islamabad
3 March 2023
APPROVED FOR REPORTING
Rabbani

[9] https://www.merriam-webster.com/dictionary/honorable (accessed on 2 March 2023).
[10] *It's a good idea to make your ideas and conversation stirring, instead of resorting to 'sirring'.* https://timesofindia.indiatimes.com/blogs/toi-editorials/yes-sir-no-sir-why-overusing-the-honorific-is-a-bad-idea/

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