[AS PASSED BY THE NATIONAL ASSEMBLY]

A

Bill

to facilitate and strengthen the Supreme Court of Pakistan in the exercise of its powers to review its judgment and orders

WHEREAS Article 188 of the Constitution of Pakistan empowers the Supreme Court, subject to the provision of any Act of Majlis-e-Shoora (Parliament) and any rules made by the Supreme Court, to review any judgment pronounced or any order made by it;

AND WHEREAS to facilitate and strengthen the exercise of this power, it is necessary to enlarge the jurisdiction of the Supreme Court as expressly provided under Article 188;

AND WHEREAS it is necessary to ensure the fundamental right to justice by providing for meaningful review of judgments and orders passed by the Supreme Court in exercise of its original jurisdiction under Article 184;

It is hereby enacted as follows:-

1. **Short title, commencement and extent.**— (1) This Act shall be called the Supreme Court (Review of Judgments and Orders) Act, 2023.

(2) It shall come into force at once.

2. **Enlargement of jurisdiction of the Supreme Court.**— In case of judgments and orders of the Supreme Court in exercise of its original jurisdiction under Article 184 of the Constitution , the scope of review on both facts and law, shall be the same as an appeal under Article 185 of the Constitution.

3. **Larger Bench.**— A review petition shall be heard by a Bench larger than the Bench which passed the original judgment or order.

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4. **Right to appoint counsel.—** The review petitioner shall have the right to appoint any advocate of the Supreme Court of his choice for the review petition.

5. **Judgments and orders made prior to commencement of this Act.—** The right to file a review petition shall also be available to an aggrieved person against whom an order has been made under clause (3) of Article 184 of the Constitution, prior to the commencement of this Act:

Provided that the review petition under this section shall be filed within sixty days of the commencement of this Act.

6. **Limitation.—** A review petition may be filed within sixty days of the passing of the original order.

7. **Act to override other laws etc.—** The provisions of this Act shall have effect notwithstanding anything contained in any other law, rules or regulations for the time being in force or judgment of any court including the Supreme Court and a High Court.

STATEMENT OF OBJECTS AND REASONS

Under Article 188 of the Constitution of Pakistan empowers the Supreme Court, subject to the provision of any Act of Majlis-e-Shoora (Parliament) and any rules made by the Supreme Court, to review any judgment pronounced or any order made by it the purpose of this Bill is to enlarge the jurisdiction of the Supreme Court as expressly provided under Article 188 to facilitate and strengthen the exercise of this power by the Supreme Court.

It is necessary to ensure the fundamental right to justice by providing for meaningful review of judgments and orders passed by the Supreme Court in exercise of its original jurisdiction under Article 184.

The Bill has been designed to achieve the aforesaid objectives.

Sd/-
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