

**Reply by Mr. Justice Nisar Hussain Khan to the Reference
on the eve of his retirement on 31st January, 2017**

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Almighty Allah, the most merciful and beneficent

- **My Lord Honourable the Chief Justice**
- **Honourable Brothers and sister Judges of High Court.**
- **Members of District Judiciary and High Court, Administration.**
- **Learned Advocate General, Additional and Assistant Advocate
Generals**
- **Learned Deputy Attorney General and Law Officers.**
- **President and Members of High Court Bar Association**
- **President and Members of District Bar Association Peshawar.**
- **Vice Chairman and Members of KPK Bar Council.**
- **All respectable Members of High Court and District Bar
Associations.**
- **Representatives of Print and Electronic Media**
- **Ladies and Gentlemen.**

Assalam-o-Alaikum

**Let me express my sincere gratitude to Honourable the
Chief Justice, Advocate General, Deputy Attorney General and
President Peshawar High Court Bar Association for their kind words,**

which is a great honour for me. I am really short of words to offer thanks in a befitting manner, for the respect and honour, you all have bestowed on me. I firmly believe in the dictates of universal principle that one should not rejoice at praise and not to despair at reproaches. A thoughtful study of rule of nature makes us realize that trees blossom in the spring and bear fruit in the summer, without seeking praise. And they let their leaves fall in the autumn and become bare in the winter, without fearing blame. Life passes through different phases in its natural rhythm, which all come by, in their own order. It is a settled rule of heavens that one who comes has to pass on to the eternal life. Likewise, one who joins a service has to retire. The only difference in both is that time of one is not known while of other is well known, from the day one. Indeed dispensing justice is the prerogative and quality of Almighty Allah. We have been honoured by Him with this sacred trust. The time span of five and a half year was the real test of my mettle. The result of my judicial rectitude is to be released on the Day of Judgment. However, by all accounts, I am hopeful of His gracious blessings. And it is also the teachings of Islam that one should be optimistic of His bounty.

2. *It is universally celebrated principle that a Judge, like caesor's wife, should be above suspicion. It remained my avowed obsession to avoid, proverbial caesor's wrath. Indeed I am referring to the wrath of Almighty Allah. In this quest, as a Judge, I could not befriend, yet a Judge is foe of none. For me dignity, honour and credibility of this institution is far more important than the Shakespearian Rome. I re-assure you all, that I loved you not less yet loved the institution more.*

3. *We are passing through an evolutionary phase of our national life. A debate is on, about achievements and failures of different organs of State. Instead of putting the blame on others, each organ and institution should dare take the bull by horn, and take the first step, to reform itself, instead of wasting energies in reining in others. Indeed, journey of thousands miles, begins with but a single step. I did try to put my share a little bit. To what extent, could I succeed, is to be decided by you and Allah Almighty. However, whatever I could do, was all, because of lawyers' immaculate legal acumen and impeccable professionalism, demonstrated at the bar, with exquisite precision. Lawyers are cream of the society and thus are its vanguard. They have once played their role in historic lawyers' movement in 2007 and achieved*

the goal, that seemed impossible at its inception. They are once again called upon to rise to the occasion, hold the flag of speedy justice high in their hands and advance with professional zeal and commitment. This is call of the day and concern of the public. All eyes are set on this institution, of which bar is the integral part. Existence of one is dependant upon the other, so their rise and fall, is bound together.

4. *Ladies and gentleman I think I have preached too much and that too at a time when I am parting my ways with the bench. However, I have followed the words of Honourable Mr.Justice (Late) M.R. Kayani, who said “ A Judge should preach and lawyer should practice. And anyway, it is better to practice than to preach. We had only one practicing lawyer, who carved out for us a whole state. So lawyers are still one up”.*

5. *I am beholden to all of you for arranging such a graceful ceremony. I am also indebted to Honourable the Chief Justice, Honourable brothers and Sister Judges who had been kind and affectionate to me, during the whole period. They stood by me, at all the testing times. Their love and affection shall all along remain an asset of my life. At this occasion, I*

express my gratitude from the core of my heart to the lawyers of High Court Bannu Bench, District Bar Bannu, Karak and Lakki Marwat and Tehsil Bar Takht-e-Nasrati and Banda Daud Shah. I am highly thankful to all of them. They showered their love and affection, which I shall always cherish. I was the first one who was posted at Bannu Bench, which was nurtured from seedling to sapling and now is a grown up tree. And I love it, as my sibling. My stay of one and half year at Bannu would be a pleasant reminiscence of my life.

6. *I also extend my sincere gratitude to my staff of both stations, Bannu and Peshawar, from Naib Qasid to the Secretaries, who all along remained helpful during the whole period. They never complained of their stay till late evening. Their sincere co-operation made it possible for me to work in a congenial environment.*

7. *I must acknowledge the honour and respect I earned just for being the member of this prestigious institution. And I am thankful to Allah Almighty, who conferred on me the honour of His job of dispensation of justice. He has also made it all possible*

for me to part with eternal satisfaction. I pray to Allah Almighty to keep all of you in excellent spirit and good health.

8. *At the end, I thank you all once again and wish you all the best.*

Pakistan Paimda Baad.

Justice Nisar Hussain Khan