



PESHAWAR HIGH COURT, PESHAWAR



REFERENCER CUM CITATOR

**COMPILED BY
RESEARCH WING**



In the Name of
ALLAH
The most merciful and the
most beneficent.



A TEAM WORK COMPILATION

Message of the **Hon'ble Chief Justice**

The Holy Quran enjoins upon the believers to decide cases on the basis of equity, justice and upright testimony. To make a just, qualitative and quick decision, this referencer would serve as a comprehensive resource. It will also help the legal practitioners and judges to navigate the complexities of law and pass through the labyrinth of statutes, safely. This compilation will be the unwavering companion of legal fraternity in their respective domains.

I must appreciate the meticulous research, dedication and efforts put forth by the entire team of the Research Wing of the Peshawar High Court, Peshawar, especially; Mr. Aftab Javed (Senior Research Officer) having leading role in coming up with this wonderful compilation. I hope this idea will be carried forward by the Research Wing in updating the book annually.

MOHAMMAD IBRAHIM KHAN

CHIEF JUSTICE

FOREWORD

Over the years, superior courts of Pakistan have developed a substantial body of case law. A deep understanding is essential to pass through the complex tapestry of legal precedents shaping our jurisprudence and this reference book seeks to illuminate the paths these precedents have paved.

I extend my sincere appreciation to all the team members of Research Wing, who for assembling this Referencer, have dedicated themselves in distilling the essence of pivotal cases, offering a detail exploration that would serve as an invaluable resource for Bar and the Bench.

It is my hope that this contribution by the Research Wing will be fostering a deeper appreciation for the rich mosaic of legal reasoning that shapes our society.

May this first volume of the Referencer serve as an inspiration as we continue our journey through the ever-evolving landscape of jurisprudence.

INAM ULLAH WAZIR
REGISTRAR

ACKNOWLEDGMENTS

I extend my sincere gratitude to my fellow colleague Ms. Irum Nosheen Research & Reference officer for her dedication, expertise and instrumental role in compiling this referencer. I thankfully acknowledge the work, help and support of Judicial Assistants Samiullah, Ghazi Abdullah Shah, Zaib Ullah and Adnan Khan.

I am also thankful to Ms. Sumbal Naseer, Additional Registrar Legal, Peshawar High Court, for her support and encouragement for this compilation.

AFTAB JAVED

Senior Research & Reference Officer
Peshawar High Court.

INTRODUCTION

Legal research is crucial for understanding and interpreting laws, preparing arguments and staying informed about the precedents. A comprehensive understanding of legal principles is also imperative as always. In this pursuit Peshawar High Court had established its Research wing, which assists courts in qualitative decision making.

This Referencer is a record of the queries answered by the judicial officers and judicial assistants in the Research wing. It has been divided into various sections i.e. Constitution, Civil, Family, Rent, Criminal, Service and Tax, where precedents (case law pertaining to the Supreme Court of Pakistan, Provincial High Courts and decisions of Courts of International jurisdiction) have been amassed. This compendium is designed to empower readers with the knowledge needed to navigate through the dynamics of law. The citations are not intended to be exhaustive, however, they will provide necessary and quick reference on important law points.

It is hoped that this referencer will be of great use to its readers.

AFTAB JAVED

Senior Research & Reference Officer
Peshawar High Court.

CONSTITUTION



CIVIL/FAMILY/RENT



CRIMINAL



SERVICE



TAX





CONSTITUTION

(Constitution)		
1.	Vires of rules & concept of reading down of a provision.	1
2.	Whether locus standi necessary for questioning vires of laws?	1
3.	Contradiction or inconsistency between the parent statute and the rules framed thereunder: consequences?	1
4.	Concept of fair trial under Article 10-A of the Constitution of Pakistan, 1973.	1
5.	Principles for Harmonious Interpretation of Statutes.	2
6.	Maintainability of Writ Petition regarding a dispute arising out of a contract between the parties containing an arbitration clause.	2
7.	The word "Person" used in Art.199 of the Constitution is a Juristic Person or a statutory body or an authority functioning within the affairs of the federation.	2
8.	Mode and manner of verification of Election petition.	3
9.	Quashment of charge sheet/show cause notice of a disciplinary proceedings in Constitutional jurisdiction.	3
10.	Supreme Court refused to dilate upon factual controversy when not raised in the High Court.	4
11.	Whether conduct of a person complaining high handedness of Government/Police Officials through press conference amounts to misconduct & can he claim compensation?	4
12.	Concept of Regulatory Capture with regard to Pakistan Medical Commission.	4
13.	Jurisdictional scope of the High Court to examine the mala fide action of universities or educational institutions.	4
14.	Can policy decisions be challenged in Writ Jurisdiction?	5
15.	Public interest shall be given preference over interest of individual.	5
16.	Whether an appeal of a private complainant can be converted into a Constitutional petition though no right of appeal is available to him under the law?	5
17.	Delimitation of constituencies in constitutional perspective.	5
18.	Maintainability of Writ petition against an award notified under section 11 of the Land Acquisition Act, 1894.	5
19.	Can Supreme Court/ High Court strike down a statute/law which has not been challenged?	6
20.	Alternate remedy is not a complete bar to the High Court for entertaining a petition.	6
21.	Scope of jurisdiction of the High Court when Article 245 of the Constitution, 1973 is invoked.	6
22.	Extent of application of Civil Procedure Code, 1908 when High Court exercises its constitutional jurisdiction under Art.199 of the Constitution.	6
23.	Principle of Stare decisis is to be interpreted by Superior Courts	7
24.	Force Majeure & its effect	7
25.	Exception to the general rule is to be interpreted narrowly.	7

26.	Absolute Power corrupts absolutely.	7
27.	Whether Afghan national is eligible to seek Pakistan Origin Card (POC) under Pakistan Citizenship Rules, 1952?	8
28.	Excessive Delegation& its concept	8
29.	Historical and legal background of Local Government.	8
30.	Penal action under the law can be taken against an unregistered and unrecognized educational institution.	9
31.	Case law on Article 137 of the Constitution of Pakistan, 1973.	9
32.	Principle of "Natural Justice"-explained.	9
33.	Factual controversy cannot be resolved in Writ jurisdiction.	9
34.	Effect of non-availing of alternate remedy before invoking jurisdiction of the High Court.	10
35.	Powers of Ombudsman/Muhtasib---Judicial, Quasi-Judicial or Executive.	10
36.	Abuse of process of Court & consequences thereof.	10
37.	How laws were extended to PATA /FATA?	10
38.	Jurisdictional scope of High Court in University's matter.	11
39.	Regulation of MDCAT by Pakistan Medical commission	11
40.	Whether Act/ Rules/Regulations will be effective from the date mentioned in the Act/ rules/ or date of Gazette Notification?	11
41.	Mandate of Parliamentary committee under the Constitution of Pakistan, 1973.	12
42.	How Redundancy in a provision is dealt with?	12
43.	What would be the effect of repeal of an Act on rules, framed there under?	12
44.	Ruling of the Speaker of the National/Provincial Assembly & of its legal status.	13
45.	Observance of principles of natural justice in all proceedings affecting person, property or other rights of parties.	13
46.	Employees of organizations (PESCO/TESCO etc.) having no statutory rules; their terms and conditions of services are not amenable to Writ Jurisdiction.	13
47.	Tribunals and Authorities also come within the purview of the term "binding on all other courts", mandated by Art.189 of the Constitution of Pakistan, 1973.	14
48.	Judgment in <i>remand</i> extension of its benefit to the other concerned persons (e.g. civil servants) having same grievances but not a party to the <i>lis</i> .	14
49.	Who has to determine the status of particular rules being statutory in nature?	15
50.	The immovable property owned by a university cannot be distributed, acquired or alienated without the consent of the syndicate.	15
51.	Status of Statutory Instruments.	15
52.	Availability of Alternate/adequate remedy and Jurisdiction of High Court.	16
53.	Constitutional jurisdiction of High Court regarding appointment against an executive post.	16
54.	Constitutional provision cannot be made redundant.	17

55	Maintainability of writ petition in the presence of civil suit.	17
56	Maintainability of Writ Petition in cases of implementation of contract.	17
57	In Conflict between Federal and Provincial Laws, the Federal law will prevail. Whether the provincial law can repeal the Federal law?	18
58	Applicability of general law when special law is silent.	18
59	Competent Authority in cases pertaining to distribution of fund in respect of ADP Scheme.	18
60	Any order, passed by Executive or Quasi-Judicial Authority, lacking reasons is void in view of S.24-A of General Clauses Act, 1897.	19
61	Jurisdiction of NADRA authority to issue or withdraw CNIC. Scope and Mandate	19
62	Case law under section 144(1)(a)(b) Election Act, 2017.	19
63	Case law on Art.165 & 165-A of the Constitution of Pakistan, and Art. 289 of the Indian Constitution.	20
64	Status of Rules made under the repealed Act.	20
65	Scrutiny of nomination papers; genuineness of the signature of the proposer and seconder.	20
66	Civilian charged under the Official Secrets Act, 1923 can be tried and convicted by the Military Court established under the Army Act, 1952.	21
67	Contractual employees of Public and Private Companies can invoke the constitutional jurisdiction U/A 199 of the Constitution of Pakistan, 1973.	21
68	Maintainability of a Writ Petition filed by a contested candidate for dislodging of Returned Candidate when he has not approached the Appellate Tribunal under Section 63 of Election Act, 2017.	21
69	Government department can make recovery under Audit Para/ objection from a contractor on the recommendations of Public Accounts Committee.	22
70	Maxim "Salus populi est suprema lex-explained.	22
71	Maxim: Nemo debet esse iudex in propriasua causa-explained.	22
72	Beneficial Legislation, executive orders and instructions have retrospective effect	22
73	Findings of revisional court of competent jurisdiction cannot be assailed by invoking constitutional jurisdiction of High Court under Art.199 of the Constitution.	23
74	Whether the term "Pleasure of the Government" or "Governor" has been defined by any superior court in the context of holding a post?	23
75	How the Supreme Court of Pakistan interpreted and applied the principle of "judicial comity among judges?"	23
76	Whether a person can file direct appeal under Article 185(2) of the Constitution in the Supreme Court, against the judgment of the High Court	24
77	Delegated Legislation; the concept of excessive delegation explained in the judgments of superior courts of Pakistan and India.	24
78	Maintainability of Writ Petition after decision of a case by a Civil Court.	25
79	Whether matter falling within territorial jurisdiction of Benches can be entertained at the principal seat of the High Court?	25
80	Whether the administrative instructions/policies are included in the expression "law" used in proviso to Sub-section (2) of Section 3 of the Law Reforms Ordinance, 1972?	25

81	Superior Court's view on unguided and unbridled powers.	26
82	High Court cannot interfere in matter of marks awarded by educational institutions in its Constitutional Jurisdiction.	26
83	Public Interest Litigation-elucidated.	26
84	Case law pertaining to "Coram non judice".	26
85	View of Supreme Court of Pakistan on decisions of Election tribunal.	27
86	Interlocutory order passed by the Election Tribunal cannot be questioned in constitutional jurisdiction of the High Court until the same was found patently illegal.	28
87	View of superior courts on "Delimitation of Constituencies".	28
88	Non-substantial defects in nomination papers for elections-explained.	28
89	Substantial defects in nomination papers for elections-explained.	29
90	Interpretation of "Patent Ambiguity" in a document	29
91	Conflict between provisions of a statute and their harmonious interpretation.	29
92	Conflict between the two provisions of an enactment, the provision, later in sequence shall prevail.	30
93	Legal effect of amendment brought in a statute.	30
94	Explanation of "Comma (,)" as per interpretation of statutes.	30
95	Explanation of the term "any" as per interpretation of statutes.	
96	Explanation of the terms "and" "or" as per interpretation of statutes.	31
97	Difference between "Agent" and "Counsel or Advocate"-explained.	31
98	Writ petition can only be filed by person having locus standi.	31
99	Mere availability of alternate remedy would not be a ground for holding constitutional petition as non-maintainable.	32
100	If an Advocate takes a court matter in shape of Press Conference raising criticism against the Bench, is this conduct prohibited? If yes, to whom shall the matter be referred?	32
101	Policy making and examining such policy in Judicial Review.	32
102	The court while exercising Writ Jurisdiction can pass order for suspension of sentence in a case pending for remission of sentence.	33
103	Doctrine of Locus Poentitentie- explained.	33
104	Vested right is a right created and acquired under the law.	33
105	Appointment in violation of principles of transparency and fairness are illegal and not sustainable in law.	34
106	Jurisdictional scope of the High Court in matters of enhancement of qualification and standards for recruitment and promotion.	34
107	Right to promotion is a vested right and cannot be taken away by a prospective amendment of a rule.	34
108	Public trust resources cannot be converted into private use or any other use.	35
109	Doctrine of Reading Down is an internal aid to construe the word or phrase in a statute to give reasonable meaning.	35
110	The scheme of the statute has to be considered for determining the directory or mandatory nature of a particular provision.	36
111	Essential conditions for Implied repeal of an earlier statute or a provision thereof by a later statute.	36
112	Leges posteriores priores contrarias abrogant--- later laws repeal earlier laws inconsistent therewith.	37

113	Where two "co-ordinate sections", were apparently inconsistent, an effort must be made to reconcile them, if it was impossible, the latter would generally override the earlier.	37
114	Prospectivity or retrospectivity of an amendment snatching vested right.	37
115	Provisions in different statutes but having bearing on the same subject may be read together in a complimentary manner.	37
116	Repugnancy between Provincial and Central Legislation could be ascertained on basis of three principles; explained.	38
117	High Court will not go into disputed questions of fact in Constitutional jurisdiction.	38
118	Grounds for writ of Certiorari in Family Cases.	38
119	Scope of an application for review is limited.	39
120	Grounds for exercise of powers by the High Court to issue directions to an executive authority.	39
121	Mode and manner for establishment and appointments for Special Court or Tribunal.	39
122	Explanation of Preamble as per interpretation of statutes.	40
123	Where two possibilities regarding a fact are possible the one more favorable to the subject to be preferred.	40
124	Interpretation of a provision of a statute couched in negative language.	41
125	Statute providing change of forum, pecuniary or otherwise, is procedural in nature and has retrospective effect.	41
126	The nature of office of the ombudsman elaborated.	41
127	The legislature, the executive and the judiciary are required to perform their functions and exercise their powers within the allotted sphere	42
128	Doctrine of Abuse of process and its applicability in litigation.	42
129	Literal construction is to be adopted while interpreting fiscal or taxing statute.	42
130	Interpretation of charging and machinery provisions in a taxing statute.	43
131	No litmus test is available to determine whether a statutory provision or rule is mandatory or directory.	43
132	Legislative entries are fields of legislative power which are to be interpreted and applied in the widest possible terms.	43
133	Principles for interpretation of provisions of a criminal statute.	44
134	Principles regarding Interpretation of 'Constitution' and interpretation of a 'statute.	44
135	Provision ousting the jurisdiction of a civil court is to be construed strictly and established rights cannot be disturbed, nor can an ouster clause deprive anyone of property.	44

(CONSTITUTION)

1. Vires of rules & concept of reading down of a provision.

Supreme Court	High Courts	International Jurisdiction
2023 SCMR 774 PLD 2023 SC 378 PLD 2021 SC379 2018 SCMR 1807 PLD 1993 SC210	PLD 2023145 Peshawar PLD 2023 572 Lahore 2023 PLC(CS)N 6 Lahore PLD 1997 Lahore 499 PLD 1997 Quetta 22 PLD 2006 Karachi 74 PLD 2010 Karachi 236	PLD 2007 High Court (AJ&K) 1

2. Whether locus standi necessary for questioning the vires of law.

Supreme Court	High Courts	International Jurisdiction
1998 SCMR 2073	1999 PLC (C.S.) 1513 Lahore 1996 MLD 1078 Lahore 1995 MLD 966 Lahore	PLD 1980 SC AJ&K 5 PLD 1980 SC AJ&K 5 1999MLD 268 SC(AJ&K) PLD 1989 SC (AJ&K) 53 PLD 2002 SC (AJ&K) 1 PLD 2017 SC (AJ&K) 50

3. Contradiction or inconsistency between the parent statute and the rules framed there under: consequences?

Supreme Court	High Courts
PLD2010 SC 1004 PLD 2004 SC 694 2003 SCMR 370 2001 SCMR 1806 PLD 2001 SC 600 1988 SCMR 747	PLD 2019 Lahore 206 PLD 2011 Lahore 276 PLD 2005 Lahore 185 PLD 1999 Lahore 109 PLD 1968 Lahore 1012

4. Concept of fair trial under Article -10 A of the Constitution of Pakistan, 1973.

Supreme Court	High Courts	International Jurisdiction
PLD 2014 SC 232 2012 SCMR 1235 2012 SCMR 1958	2012 CLC 764 Lahore 2012 PCr.LJ 1405 Lahore PLD 2010 Lahore 463 2015 PCr.LJ 224 Islamabad PLD 2016 Lahore 293 2016 YLR 1642 Sindh 2016 PCr.LJ Note 127 Sindh 2015 PTD 458 Lahore 2015 YLR 782 Lahore 2013 PCr.LJ 1331Sindh	2004 AIR (SC) 3114: 2004 SCC(Cri) 999

5. Principles for Harmonious Interpretation of Statutes.

Supreme Court	High Courts	International Jurisdiction
PLD 2012 SC 1089 1992 SCMR 710	2019 PTD 25 Peshawar	

6. Maintainability of Writ Petition regarding a dispute arising out of a contract between the parties containing an arbitration clause.

Supreme Court	High Courts
PLD 2003 SC 808 1999 SCMR 121 1999 SCMR 117 PLD 1990 SC 48	2019 MLD 1738 Lahore 2014 YLR 399 Peshawar PLD 2012 Lahore 52 2000 CLC 628 Lahore

7. The word“Person ” used in Art.199 of the Constitution is Juristic Person or a statutory body or an authority functioning with in the affairs of the federation.

Supreme Court

2019 SCMR 221
 2013 SCMR 1383
 PLD 2009 SC 507
 2013 SCMR 1707
 PLD 2002 SC 326
 1994 SCMR 958
 PLD 1975 SC 244
 PLD 1965 SC 90

- 8. Whether Election petition is to be verified only in terms of the procedure laid down in Code of Civil Procedure, 1908 or its annexures are also to be verified in terms of Sub-section (4) of Section 144 of the Election Act, 2017?**

Supreme Court

2014 SCMR 1015
 2015 SCMR 1585
 2010 SCMR 1877
 PLD 2007 SC 362
 PLD 2005 SC 600
 2000 SCMR 250

High Courts

PLD 2019 119 Lahore
 2019 CLC 570 Peshawar

- 9. A Charge Sheet/ Show Cause Notice, issued in a disciplinary proceeding can be quashed or set aside by High court in its Constitutional jurisdiction.**

Supreme Court

PLD 1989 SC 360
 PLD 1989 SC 508
 1991 SCMR 1041
 1998 SCMR 1948
 1999 SCMR 2779
 2002 SC MR 805
 2015 SCMR 253

High Courts

2017 PLC (C.S.) 260
 Islamabad
 2018 PLC (C.S.) Note 14
 Quetta
 2017 PLC (C.S.) Note 27 Lahore

International Jurisdiction

(2007) 13 SCC 270
 AIR 2004 SC 1467
 AIR 2007 SC 906.

10. Supreme Court refused to dilate upon factual controversy when not raised in the High Court.

Supreme Court
1993 SCMR 2354 1968 SCMR 565 PLD 1964 SC 401

11. A person through press conference to attract the attention of Hon'ble Chief Justice of Pakistan or other high forum complaining therein the high handedness of Government/ Police Officials; whether this conduct of the person amounts to defamation and; whether the Government Officials or other persons can claim compensation?

Supreme Court	High Courts	International Jurisdiction
1993 SCMR 1380	1997 CLC 1 Karachi 2014 MLD 1199 Peshawar	(1993) 1 All E R 1011 House of Lords

12. Concept of Regulatory Capture with regard to Pakistan Medical Commission.

Supreme Court	High Courts
2022 SCMR 72 2013 SCMR 1159 2015 SCMR 1739	PLD 2021 436 Lahore 2009 YLR 892 Islamabad PLD 2015 522 Lahore PLD 2019 1 Islamabad

13. Jurisdictional scope of the High Court to examine the mala fide action of universities or educational institutions.

Supreme Court	International Jurisdiction
PLD 1965 SC 671 PLD 1965 SC 698 PLD 1965 SC 623 PLD 1973 SC 49 2021 SCMR 977 2013 SCMR 1687 2006 SCMR 1314 2005 SCMR 961	AIR 1990 SC 851 AIR 1980 SC 2141 AIR 1959 All 226

14. Can policy decisions be challenged in Writ Jurisdiction?

Supreme Court
2022 SCMR 201 2021 SCMR 1230 2017 SCMR 206 PLD 2013 SC 167 2014 SCMR 676 PLD 2014 SC 1

15. Public interest shall be given preference over interest of individual.

Supreme Court	High Courts
PLD 2013 SC 829 2003 SCMR 1756	2019 CLC 1653 Sindh 1995 MLD 896 Lahore 2010 GBLR 95

16. Whether an appeal of a private complainant can be converted into a Constitutional petition though no right of appeal is available to him under the law?

High Courts
PLD 2006 Lahore 147 2010 YLR 2911 Lahore 2008 MLD 454 Lahore 2011 PCr. LJ252 Lahore 1998 PCr.LJ 850 Karachi

17. Delimitation of constituencies in constitutional perspective.

Supreme Court	High Courts
PLD 2014 SC 668	PLD 2022 607 Lahore 2022 YLR 1474 Lahore 2018 CLC 1693 Peshawar PLD 2016 63 Sindh 1985 MLD 1567 Karachi

18. Award notified under Section 11 of the Land Acquisition Act, 1894, cannot be questioned in Writ Jurisdiction.

High Courts
2018 CLC 449 Peshawar 2014 YLR 2400 Peshawar

2008 CLC 200 Lahore
2004 MLD 1182 Lahore

19. Can Supreme Court/ High Court strike down a statute/law which has not been challenged?

Supreme Court	High Courts	International Jurisdiction
PLD 2014 SC 531 2022 SCMR 1691 2016 SCMR 931	PLD 2015 Lahore 146 PLD 2022 Peshawar 83 PLD 2022 Peshawar 171 PLD 2021 Sindh 256	AIR 2014 SC 1649

20. Alternate remedy is not a complete bar to the High Court for entertaining a petition.

Supreme Court
2012 SCMR 455 PLD 2008 SC 135 2011 SCMR 1813

21. Scope of jurisdiction of High Court when Article 245 of the Constitution, 1973 is invoked.

Supreme Court	High Courts
PLD 2011 SC 680	PLD 2022 Islamabad 398 PLD 2015 Peshawar 169 PLD 2013 Peshawar 94 1995 CLC 1189 Lahore PLD 1980 Lahore 206

22. Extent of application of Civil Procedure Code, 1908 when High Court exercises its constitutional jurisdiction under Art.199 of the Constitution.

Supreme Court	High Courts	International Jurisdiction
2013 SCMR 464 2007 SCMR 1587 PLD 2004 SC 70	2022 CLC 497 Islamabad	2019 CLC 75 SC (AJ&K) 2015 PLC (C.S.) 354 SC (AJ&K)

23. Principle of Stare decisis is to be interpreted by Superior Courts.

Supreme Court	High Courts	International Jurisdiction
2017 SCMR 206 1998 SCMR 1618	2021 PTD 1644 Islamabad PLD 1963 (W. P.) Karachi 79 2001 CLC 1461Lahore PLD 1973 Karachi 107 PLD 2015 Sindh 226 2013 PCr.LJ 518Baluchistan PLD 2005 Karachi 638	2021 YLR 470SC (AJ&K) PLD 2023 High Court (AJ&K) 108

24. Force Majeure & its effect.

Supreme Court	High Courts
1996 SCMR 1713	PLD 2021 Lahore 453 2021 CLC 761 Sindh 2016 CLD 1833 Islamabad 2013 CLD 1451 Sindh

25. Exception to the general rule is to be interpreted narrowly.

Supreme Court	High Courts
2007 SCMR 886 PLD 1980 SC 84	PLD 2020 Islamabad 319 2004 MLD 1949Karachi

26. Absolute Power corrupts absolutely.

Supreme Court	High Courts	International Jurisdiction
PLD 2022 SC 439 PLD 2021 SC 379 2021 SCMR 1509 2009 SCMR 1354	PLD 2010 Lahore 123 PLD 1999 Karachi 472	Mahesh Chandra Vs. Regional Manager, U.P. Financial Corporation and Ors. Civil Appeal No. 4503 of 1990

27. Whether Afghan national is eligible to seek Pakistan Origin Card (POC) under Pakistan Citizenship Rules, 1952?

High Courts
<p>PLD 2021 Islamabad 305</p> <p>PLD 2016 Lahore 857</p> <p>PLD 2008 Federal Shariat Court 1</p> <p><u>ISLAMABAD</u></p> <p>W.P. No. 1254 of 2022 Fazal Haq Vs NADRA, etc.</p> <p><u>PESHAWAR HIGH COURT,</u></p> <p>W.P. No. 1536-p of 2023 Mst. Amna & another Vs Federation of Pakistan through Secretary Ministry of Interior, etc.</p>

28. Excessive Delegation& its concept.

Supreme Court	High Courts
<p>PLD 2020 SC 1</p> <p>PLD 2005 SC 873</p> <p>2005 SCMR 186</p>	<p>PLD 1976 Lahore 834</p>

29. Historical and legal background of Local Government.

Supreme Court	High Courts
<p>2020 SCMR 1</p>	<p>PLD 2016 Lahore 101</p> <p>PLD 2016 Sindh 63</p> <p>PLD 2015 Lahore 522</p> <p>PLD 2014 Lahore 221</p>

30. Penal action under the law can be taken against an unregistered and unrecognized educational institution.

Supreme Court	High Courts
2018 SCMR 1310 1999 SCMR 2110	2020 PCr.LJ 105, 2017 CLC 969, 2014 MLD 971, PLJ 1999 Peshawar 131

31. Case law on Article 137 of the Constitution of Pakistan, 1973.

Supreme Court
2020 SCMR 1, 2012 SCMR 1958.

32. Principle of “Natural Justice” under Article 10 A of the Constitution of Pakistan, 1973.

Supreme Court	High Courts
PLD 2021 SC 600 2016 SCMR 108 2012 SCMR 1235 PLD 2020 SC 334 2019 SCMR 1982 PLD 2012 SC 553	2021CLC1841 Lahore PLD 2020 Sindh 733 2019 CLC 1141 Lahore

33. Factual controversy cannot be resolved in Writ Jurisdiction.

Supreme Court
2014 SCMR 1676 2011 SCMR 1023 2011 SCMR 1990 2010 SCMR 1057 2007 SCMR 1209 2005 SCMR 1840

34. Effect of non-availing of alternate remedy before invoking jurisdiction of the High Court.

Supreme Court	High Courts
2022 SCMR 92, 2022 SCMR 576 2021 SCMR 998 2021 SCMR 624 2016 SCMR 842 PLD 2010 SC 1066 2005 SCMR 37 PLD 2004 SC 127	2003 PT D 2722, 1991 SCMR 1212 2022 MLD 634, 2021 MLD 1491, 2019 MLD 1738 PLD 2018 Peshawar 47

35. Powers of Ombudsman/Muhtasib---Judicial, Quasi-Judicial or Executive.

Supreme Court	High Courts
PL D 2016 SC 637 PLD 2001 SC 142	2021 PLC (C.S.) 195 Lahore 2020 CLD829Sindh

36. Abuse of process of Court & consequences thereof.

Supreme Court	High Courts
2017 SCMR 1444 2007 SCMR 351	PLD 2021 Sindh 492 2019 PTD 1678 1996 MLD 874

37. How laws were extended to PATA /FATA?

Supreme Court	High Courts
PLD 2005 SC 246 PLD 2017 SC 105	1990 MLD 1960 Quetta 2002 PTD2089 Peshawar PLD1995 Peshawar 14 PLD 2007 Peshawar39

38. Jurisdictional scope of High Court in University's internal matter.

Supreme Court	International Jurisdiction
2005 SCMR 961 1999 SCMR 965 2006 SCMR 1314 2013 SCMR 1687 2021 SCMR 977 PLD 1965 SC 671 PLD 1965 SC 698 PLD 1965 SC 623 PLD 1973 SC 49 PLD 2006 SC 564	AIR 1990 SC 851 AIR 1980 SC 2141 AIR 1959 All 226 2011 N.Y. Misc. LEXIS 206 Hindi Hitrakshak Samiti and Ors.Vs Union of India (UOI) and Ors. J.P. Kulshreshtha and Ors. Vs. Chancellor, Allahabad University and Ors.

39. Regulation of MDCAT by Pakistan Medical commission.

Supreme Court	High Courts
2022 SCMR 72	PLD 2021 Lahore 436 2009 YLR 892

40. Whether Act/ Rules/Regulations will be effective from the date mentioned in the Act/ rules/ or date of Gazette Notification?

Supreme Court	High Courts	International Jurisdiction
PLD 2015 SC 401 2008 S C M R 1148 PLD 1978 SC 190	2010 PLC 276Karachi 2011 PTD 2465 Lahore PLD 2000 Peshawar 73 PLD 2010 Karachi 236	PLD 2007 High Court (AJ&K) 1

41. Mandate of Parliamentary committee under the Constitution of Pakistan, 1973.

Supreme Court	High Courts
PLD 2015 SC 401 2014 SCMR 1289 PLD 2011 SC 407	PLD 2020 Peshawar 89 2016 CLC 25 Sindh PLD 2015 Lahore 317 PLD 2012 Sindh 531

42. How Redundancy in a provision is dealt with?

Supreme Court	High Courts
PLD 2008 SC 779 PLD 1962 SC 90	2007 PTD 1151 Karachi PLD 2005 Lahore 190 1990CLC43Karachi

43. What would be the effect of repeal of an Act on rules framed there under?

Supreme Court	High Courts	International Jurisdiction
PLD 2018 SC 370 2016 SCMR 816 2011 SCMR 1254 PLD 2002 SC 757 PLD 2000 SC 26 PLD 1995 SC 66 1980 SCMR 263	2012 CLD 1339 Sindh 2003 PCr.LJ 277Karachi 2006 PLC (C.S.) 38 Quetta PLD 2020 Lahore 16 2019 PTD 1414 Lahore 2009 PLD 657 Lahore 1992 CLC 321 Lahore PLD 1985 Lahore 135 PLD 1966 (W. P.) Lahore 780 PLD 1969 Dacca 571	1961 AIR 838, 1962 SCR (1) 9 AIR 1958 All 404 AIR 1957 2 Andh WR 503 AIR 1960 Mys 245 1960 Cr. LJ 1227

44. Ruling of the Speaker of the National/Provincial Assembly & of its legal status.

Supreme Court	High Courts
PLD 2012 SC 774	1995 CLC 402 Peshawar

45. Observance of principles of natural justice in all proceedings affecting person, property or other rights of parties.

Supreme Court
2013 SCMR 1707 2010 SCMR 1933 2005 SCMR 678 1999 SCMR 2774 PLD 1965 SC 90

46. Employees of organizations (PESCO/TESCO)etc. having no statutory rules; their terms and conditions of services are not amenable to Writ Jurisdiction.

Supreme Court
PLD 2011 SC 132 1994 SCMR 1024 2020 PLC (C.S.) 1593.

47. Tribunals and Authorities also come within the purview of the term “binding on all other courts”, mandated by Art.189 of the Constitution of Pakistan, 1973.

Supreme Court
2017 SCMR 206, 2010 S C M R 1429, 2010 S C M R 1877, PLD 2010 SC 483, 2010 PLC (C.S.) 451 SC 2007 SCMR 1593, 2 0 0 7 P L C (C.S.) 632 PLD 2000 SC 18, 1999 SCMR 988, PLD 1997 SC 351, 1996 SCMR 284.

48. Judgment *inrem* and extension of its benefit to the other concerned persons (e.g. civil servants) having same grievances but not a party to the lis.

Supreme Court
2022 SCMR 448 2022 PLC (C.S.) 288 2018 SCMR 380 2014 SCMR 1336, 2009 SCMR 1, 2005 SCMR 499, 1996 SCMR 1185.

49. Who has to determine the status of particular rules being statutory in nature?

Supreme Court	High Courts
2022 SCMR 991, 2017 SCMR 2010, 2017 SCMR 571, PLD 2016 SC 377,	2022 CLD 731 Islamabad, 2022 PLC (C.S.) 175 Islamabad, 2022 PLC (C.S.) 525 Lahore, 2021 PLC (C.S.) 1126 Lahore, 2021 PLC (C.S.) 140 Islamabad, PLD 2019 Islamabad 331, 2018 PLC (C.S.) Note 80 Sindh, 2018 PLC (C.S.) 580 Lahore, 2020 PLC (C.S.) 1140 Lahore, 2020 PLC (C.S.) 525Sindh

50 The immoveable property owned by a university cannot be distributed, acquired or alienated without the consent of the syndicate.

High Courts
PLD 2022 Peshawar 68 PLD 2007 Peshawar 22 2002 CLC 1464 1993 PTD 702 1992 PLC 742

51. Status of Statutory Instruments.

Supreme Court	High Courts	International Jurisdiction
PLD 2020 SC 1 2017 SCMR 571 2017 SCMR 2010 PLD 2016 SC 377 2013 SCMR 314 2010 S C M R 1994 2004 SCMR 35 1993 SCMR 105	2020 PLC (C.S.) 1140Lahore 2018 PLC (C.S.) 838 Lahore 2015 PLC (C.S.) 449 Lahore 2003 MLD 507Lahore 1992 PLC 1214Lahore PLD 1967 Lahore 657 2020 PLC (C.S.) 525 Sindh 2011 PLC (C.S.) 259 Peshawar PLD 1962 (W. P.) Peshawar 51 2020 PTD 752 Lahore	2010UKSC 2

	PLD 2018 Lahore 75 PLD 2019 Lahore 206 2018 PTD 2212 Peshawar 2015 PTD 231 Peshawar 2019 MLD 1861 Islamabad	
--	---	--

52. Availability of Alternate/adequate remedy and Jurisdiction of High Court.

Supreme Court	High Courts
2003 PTDSC 2722 2001 PTD SC 1854 1999 PTD SC 1892 1999 SCMR 95 1999 SCMR 1881 1998 PTD SC 2410 1992 SCMR 250 PLD 1971 SC 205 PLD 1963 SC 322 PLD 1962 SC 113 PLD 1962 SC 440 PLD 1961 SC 119	1990 CLC 1022 Karachi 2016 PTD 1736 Lahore

53. Constitutional jurisdiction of High Court regarding appointment against an executive post.

Supreme Court
2019 SCMR 1720 2015 SCMR 112 2014 SCMR 157 2008 SCMR 960 2019 SCMR 124

54. Constitutional provision cannot be made redundant.

Supreme Court
PLD 2019 SC 201 PLD 2018 SC 538 PLD 2018 SC 538 PLD 2018 SC 643 PLD 2008 SC 522 PLD 1997 SC 32 PLD 1957 SC 219

55. Maintainability of writ petition in the presence of civil suit.

Supreme Court	High Courts
PLD 2001 SC 393 1999 SCMR 2380	2018 CLC 1999 Sindh PLD 2006 Lahore 298 1986 MLD 1440 Karachi 1986 CLC 1193 Karachi 2018 CLC 1999 Sindh 2010 CLC 1798Lahore PLD 1976 Lahore 726

56. Implementation of a contract for construction work being contractual obligation, only civil court is competent Writ Petition is not maintainable.

Supreme Court	High Courts
PLD 2011 SC 44 PLD 2007 SC 298 1999 SCMR 467 1993 SCMR 2249	2018 CLCN 17 2012 CLD 298 PLD 2012 Lahore 52 2010 YLR 2380 2010 YLR 2805 2014 MLD 1130

57. In Conflict between Federal and Provincial Laws, the Federal law will prevail. Whether the provincial law can repeal the Federal law?

Supreme Court	High Courts
2017 SCMR 1218 2013 SCMR 85 1999 SCMR 1477 1999 PLC (C.S.) 1222 1993 SCMR 941 PLD 1985 SC 159	2015 PLC 125 PLD 2020 Peshawar 35 PLD 2016 Peshawar 114 2017 PTD 1485 PLD 2016 Lahore 433 2016 PLC 107 2015 CLD 1104 2014 CLD 45 2012 CLD 846 2011 PLD 120 2004 PLC(CS) 373 2001 PLC(CS) 383 1995 PLD 56 PLD 2010 Karachi 328 2004 CLC 1797 2001 CLC 148 1995 PCr.LJ 2058

58. Applicability of general law when special law is silent.

Supreme Court	High Courts
2011 SCMR 1254	PLD 2019 Islamabad 1 PLD 2006 Karachi 331 2002 CLC 198 Lahore

59. Competent Authority in cases pertaining to distribution of fund in respect of ADP Scheme approved by the Chief Minister; under what provision of law approved scheme can be discontinued by the Authority.

Supreme Court	High Courts
PLD 2016 SC 808 PLD 2014 SC 131	2018 CLC 134 2018 PLD 83 PLD 2007 Lahore 61 2015 MLD 117

60. Any order, passed by Executive or Quasi-Judicial Authority, lacking reasons is void in view of S.24-A of General Clauses Act, 1897.

Supreme Court	High Courts
PLD 2017 SC 194 2015 SCMR 630 2010 SC MR 1778 2010 SCMR 1537 2010 SCMR 1495 2010 SC MR 1475 2007 SCMR 1965 2007 SCMR 1328 2005 SCMR 25 2004 SCMR 1811 1998 SCMR 2268 1997 SCMR 1804 PLD 1970 SC 173	2016 PLC (C.S.) 686 Peshawar 2016 PTD (Trib.) 57 2013 CLC 386 2011 PLC (C.S.) 419

61. Jurisdiction of NADRA authority to issue or withdraw CNIC. Scope and Mandate.

High Courts
PLD 2017 Sindh 585 PLD 2016 Baluchistan 1 2016 CLC 1928 PLD 2011 Peshawar 47

62. Case law under Section 144(1)(a)(b) Election Act, 2017.

Supreme Court	High Courts
PLD 1967 SC 486	2019 CLC 960 2019 MLD 1415 2019 MLD 294 2004 YLR 381 2003 YLR 3021 2003 CLC 1224 1995 CLC 1465 1986 MLD 2112

63. Case law on Art.165 & 165-A of the Constitution of Pakistan, 1973, and Art. 289 of the Indian Constitution.

Supreme Court	High Courts
2017 SCMR 1344 PLD 2014 SC 766 2007 SCMR 1736 2005 PTD 2131SC 2005 SCMR 487 2001 SCMR 1012 1997 SCMR 641 1993 SCMR 468 PLD 1985 SC 97	2017 CLC 716Lahore 2015 CLC 1618Lahore 1989 CLC 1397 Lahore 2010 YLR 1339 Islamabad PLD 2009 Karachi139 PLD 1990 Karachi 186 1980 CLC 2026 Karachi

64. Status of Rules made under the repealed Act.

Supreme Court	High Courts	International Jurisdiction
PLD 2018 SC 370 1992 SCMR 1371 2016 SCMR 816 2011 SCMR 1254 PLD 2002 SC 757 PLD 2000 SC 26 PLD 1995 SC 66 1980 SCMR 263	2012 CLD 1339 Sindh 2003 PCr.LJ 277 Karachi 2006PLC(C.S.)38 Quetta PLD 2020 Lahore 16 2019 PTD 1414 Lahore 2009 PLD 657 Lahore 1992 CLC 321 Lahore PLD 1985 Lahore 135 PLD 1966 (W. P.) Lahore 780	(1997) 1 SCC 650 AIR 1997 SC 412 AIR 1975 SC 155 (1965) 2 KLJ 201 (1971) SCC 721 AIR 1971 SC 974 1979 All LJ 304 (FB). AIR1979Alabd170 (1916)1 KB 688 AIR 1965 SC 392) AIR 1965 SC MP 126 (1942) 66 CLR 233 85 CLR 601 AIR 1964 SC 1305 AIR 1958 All 404 AIR 1957 2 Andh WR 503 PLD 1969 Dacca 571 AIR 1960 Mys 245

65. Election case ---Nomination of papers-- scrutiny--- genuineness of the signature of the proposer and seconder under section 62 (9)(d) of the Election Act, 2017----effect.

Supreme Court	High Courts
PLD 2007 SC 277	2017 CLC Note 158 Lahore 2017 MLD 282 Lahore PLD 2003 Lahore 646 PLD 1966 (W. P.) Lahore 88

66. Civilian charged under the Official Secrets Act 1923 can be tried and convicted by the Military Court established under the Army Act, 1952.

Supreme Court	International Jurisdiction
2004 SCMR 1761 PLD 1975 SC 506 1998 SCMR 1156 2017 SCMR 1249 PLD 2015 SC 401	PLD 2017 HC (AJ&K) 23 1982 PCr.LJ 907SC (AJ&K)

67. Distinction between Public and Private Companies—contractual employees of Public and Private Companies can invoke the constitutional jurisdiction U/Art- 199 of the Constitution for redressal.

Supreme Court
2020 SCMR 2068 2011 PLC (C.S.) 623 2015 SCMR 1545 2013 SCMR 1707 2010 SCMR 1484

68. Maintainability of a Writ Petition filed by a contested candidate for dislodging of Returned Candidate when he has not approached the Appellate Tribunal under Section 63 of Election Act, 2017.

Supreme Court	High Courts
PLD 2012 SC 774 PLD 2008 SC 487 2006 CMR 1713 1997 SCMR 561	PLD 2008 Lahore 235 2018 MLD 1425 Peshawar 2018 YLR 2605 Lahore 2009 YLR 1930 Lahore 2008 CLC 1090 Lahore 2008 CLC 757 Lahore

69. Government department can recover amounts under Audit Para/ objection from a contractor on the recommendations of Public Accounts Committee.

High Courts
PLD 2020 Lahore 801 2016 CLC 1169 Islamabad 2002 YLR 2209 Peshawar

70. Maxim “Salus populi est suprema lex-explained.

Supreme court
PLD 2008 SC 178 1998 SCMR 1462.

71. Maxim: Nemo debet esse iudex in propria sua causa-explained.

Supreme court	High courts
PLD 2012 SC 553, 2011 SCMR 484, 2003 SCMR 104, PLD 2001 SC 568,	PLD 2004 Lahore 591, 2003 YLR 1507(2) Peshawar PLD 1989 Lahore 26, 1968 PCr.LJ 1Peh

72. Beneficial Legislation, executive orders and instructions have retrospective effect.

Supreme Court of Pakistan	High Courts
PLD 2021 SC 1 2021 SCMR 1246 PLD 2020 SC 1 2012 SCMR 864 PLD 2007 SC 52	2009 PLC(CS) 574

73. Findings of revisional court of competent jurisdiction cannot be assailed by invoking constitutional jurisdiction of High Court under Art.199 of the Constitution.

Supreme Court of Pakistan	High Courts
2010 SCMR 105 PLD 1993 SC 399	2015 YLR 194 Lahore

74. Whether the term “Pleasure of the Government” or “Governor” has been defined by any superior court in the context of holding a post?

Supreme Court of Pakistan	High Courts
PLD 2012 SC 132 1996 PLC (CS) 1229	PLD 2019 Lahore 1 2019 PLC(CS) 266 Lahore 2016 CLD 134 2014 CLD 664 PLD 2013 Lahore 598 PLD 1957 (W.P) Lahore 487

75. How the Supreme Court of Pakistan interpreted and applied the principle of “judicial comity among judges?”

Supreme Court of Pakistan
PLD 2010 SC 61 PLD 2010 SC 483 PLD 2002 SC 939 1992 SCMR 1895 PLD 1989 SC 689 PLD 1976 SC 315 PLD 1966 SC 140

76. Whether a person can file direct appeal under Article 185(2) of the Constitution in the Supreme Court, against the judgment of the High Court?

Supreme Court of Pakistan	High Courts
PLD 2009 SC 237 2005 SCMR 564 2005 SCMR 1079 2001 SCMR 8; 1989 SCMR 1434 1986 SCMR 121 PLD 1969 SC 65	2010 MLD 533 Lahore PLD 2006 Lahore 1 PLD 2004 Lahore 475

77. Delegated Legislation the concept of excessive delegation explained in the judgments of superior courts of Pakistan and India.

Supreme Court of Pakistan	High Courts	International Jurisdiction
2015 SCMR 630 2013 PLC(CS) 1223 2013 CLD 974 2005 SCMR 186 PLD 2014 SC 531 PLD 2005 SC 873 PLD 2002 SC 460 PLD 1966 SC 854	PLD 2016 Lahore 237 1985 CLC 2003 Karachi	AIR 1974 SC 1660 AIR 1968 SC 1232 AIR 1965 SC 1107 1971 All.L J 919

78. Maintainability of Writ Petition after decision of a case by a Civil Court.

Supreme Court	High Courts
PLD 2001 SC 393	2008 YLR 2485 Lahore
2000 SCMR 1699	2008 CLC 200 Lahore
2000 SCMR 238	2001 CLC 1401 Lahore
1999 SCMR 2380	

79. Whether matter falling within territorial jurisdiction of Benches can be entertained at the principal seat of the High Court?

Supreme Court	High Courts
PLD 1995 SC 500	2013 PCr.LJ 1055 Lahore
	PLD 2010 Lahore. 583
	PLD 1996 Lahore 328
	1996 MLD 414
	2010 YLR 2157(1)
	PLD 2009 Lahore 622
	1994 MLD 2273
	1992 CLC 1303
	PLD 1992 Lahore 342

80. Whether the administrative instructions/policies are included in the expression “law” used in proviso to Sub-section (2) of Section 3 of the Law Reforms Ordinance, 1972?

Supreme Court	International Jurisdiction
PLD 1972SC 139	AIR 1950 SC 27
PLD 1975 SC 66	AIR 2012 SC 573
PLD 1975 S C 506	

81. Superior Court's view on unguided and unbridled powers?

Supreme Court of Pakistan	High Courts	International Jurisdiction
1992 SCMR 563 PLD 1990 SC 1092 PLD 1975 SC 506	PLD 1957 (W.P) Peshawar 100 PLD 1957 (W.P) Quetta 1	AIR 1973 SC 689 AIR 1958 SC 538

82. High Court cannot interfere in a matter of marks awarded by educational institutions in its Constitutional Jurisdiction.

Supreme Court	High Courts
2002 SCMR 504 1996 SCMR 1872 PLD 1992 SC 263	2017 MLD 815 Lahore 2013 PLC(CS) 1183 Lahore 1994 CLC 1930 Lahore

83. Public Interest Litigation-elucidated.

Supreme Court	High Courts
2018 SCMR 365 2015 SCMR 851 PLD 2014 SC 47 PLD 2009 SC 217 PLD 2004 SC 482 1998 SCMR 2231 PLD 1990 SC 513	PLD 2009 Lahore 22 PLD 1997 Karachi 355 1998 CLC 1464 Lahore

84. Case law pertaining to "Coram non judice".

Supreme Court	High Courts	International Jurisdiction
2017 SCMR 1249	1994 PCr.LJ 1922 Lahore PLD 1992 Quetta 21	PLD 2006 Supreme Court (AJ&K) 5

85. View of Supreme Court of Pakistan on decisions of Election tribunal.

Supreme Court
2018 SCMR 87
2017 SCMR 1588
2017 SCMR 664
2017 SCMR 292
PLD 2017 SC 70
2016 SCMR 1632
2016 SCMR 1420
2016 SCMR 1312
2016 SCMR 998
2016 SCMR 893
2016 SCMR 875
2016 SCMR 722
2016 SCMR 251
2016 SCMR 1
PLD 2016 SC 689
PLD 2016 SC 79
2015 SCMR 1698
2015 SCMR 1585
2015 SCMR 1303
2015 SCMR 1186
2015 SCMR 233
2014 SCMR 1015
2014 SCMR 45
2013 SCMR 1328
2013 SCMR 1310

86. Interlocutory order passed by the Election Tribunal cannot be questioned in constitutional jurisdiction of the High Court until the same was found patently illegal.

Supreme Court	High Courts	International Jurisdiction
2015 SCMR 233 PLD 2009 SC 644 PLD 2008 SC 779 1997 SCMR 941 1994 SCMR 1299	PLD 2015 Lahore 272 2014 CLC 776 PLD 2014 Quetta 152	AIR 1988 SC 61

87. View of superior courts on “Delimitation of Constituencies”.

Supreme Court	High Courts
PLD 2014 SC 668 2013 SCMR 170	PLD 2016 Lahore 101 PLD 2014 Lahore 221 PLD 2014 Lahore 330 2014 YLR 1583 Lahore 2007 CLC 671 Peshawar 2004 MLD 25 Sindh 2003 YLR 2449 Lahore

88. Non-substantial defects in nomination papers for elections explained.

Supreme Court	High Courts
2016 SCMR 733	2017 YLR 2135 PLD 2016 Lahore 101 2004 MLD 54 2003 MLD 1089 1991 MLD 1644 1984 CLC 572

89. Substantial defects in nomination papers for elections-explained.

Supreme Court	High Courts
PLD 2016 SC 944 PLD 2007 SC 277	PLD 2017 Lahore 394 2017 CLC Note 158 PLD 2016 Lahore 101 PLD 2016 Lahore 179 2003 MLD 230 1993 MLD 2509

90. Interpretation of “Patent Ambiguity” in a document.

Supreme Court	High Courts	International Jurisdictions
	2007 CLC 1626 Lahore 2016 CLD 2007 Lahore 2017 CLD 1101 Lahore	907 S.W.2d 517 (Tex1995)SC Texas USA AIR 1927 (Bombay) 428 AIR 2003 (A.P.) 107 AIR 1972 (Patna) 87

91. Conflict between provisions of a statute and their harmonious interpretation.

High Courts
2016 PTD 2567 Lahore 2016 PTD 2525 Lahore 2011 PTD 1 Lahore 2010 PTD 2502 Lahore PLD 2009 Lahore 268 1995 PTD 493 Lahore

92. In case of any conflict between the two provisions of an enactment the efforts should be made to harmonize the seemingly inconsistent provision and in case such an effort fails, the provision, later in sequence shall prevail.

Supreme Court	High Courts	International Jurisdiction
PLD 2016 SC 514 1993 SCMR 1394 PLD 1983 SC 342	1988 CLC 866 Karachi	2017 YLR 211 AJ&K

93. Legal effect of amendment brought in a statute.

Supreme Court
PLD 2016 SC 514 2002 SCMR 1023 1993 SCMR 1394 1992 SCMR 710

94. Explanation of “Comma (,)” as per interpretation of statutes.

Supreme Court
PLD 2012 SC 1089

95. Explanation of the term “any” as per interpretation of statutes.

Supreme Court	High Courts
PLD 2006 SC 787 PLD 1995 SC 281 PLD 1970 SC 185	2007 CLD 888 Lahore 1999 MLD 721 Lahore PLD 1971 Lahore 537

96. Explanation of the terms “and” “or” as per interpretation of statutes.

Supreme Court of Pakistan	High Courts
2014 SCMR 1630 2011 SCMR 1591 1991 SCMR 2164 PLD 1969 SC 267	2016 PLC(CS) 1254 PLD 2007 Lahore 57 2005 PLC (CS) 138 Lahore 2002 CLC 54 Lahore 1999 CLC 19 Lahore

97. Difference between “Agent” and “Counsel or Advocate”-explained.

High Courts
2017 CLC 1736 Sindh 2017 YLR Note 257 Lahore 2004 CLD 399 Lahore PLD 1998 Lahore 207 1996 CLC 1979 Lahore 1994 MLD 1659 Lahore 1992 MLD 2536 Peshawar PLD 1964 Dacca 543

98. Writ petition can only be filed by person having locus standi.

Supreme Court
2011 SCMR 848 PLD 2007 SC 52 1995 SCMR 738 PLD 1969 SC 223

99. Mere availability of alternate remedy would not be a ground for holding constitutional petition as non-maintainable

Supreme court
2011 SCMR 1813 2007 SCMR 1240 2006 SCMR 356 2004 SCMR 28 2004 SCMR 1587, 1999 SCMR 138, 1999 SCMR 1881, PLD 1971 SC 279.

100. What are the rules which govern the conduct of an Advocate? If an Advocate takes a court matter in shape of Press Conference raising criticism against the Bench; is this conduct prohibited? If yes, to whom shall the matter be referred?

Supreme court	High courts
2015 SCMR 658	PLD 2015 Peshawar 115 2018 CLC 664 Sindh

101. Policy making is the domain of the executive and the courts normally do not interfere in such matters, but when a policy is violative of the Fundamental rights of individuals the courts are obliged to examine such policy in Judicial Review.

Supreme Court	High Courts
PLD 2019 SC 189 PLD 2017 SC 189 2017 SCMR 206 PLD 2015 SC 166 PLD 2014 SC 1 2012 SCMR 455 PLD 1964 SC 673	PLD 2020 Sindh 42

102. The court while exercising Writ Jurisdiction can pass order for suspension of sentence pending a case for remission of sentence.

International Jurisdiction	
2015 (3) Mad WN (Cri) 379 2014 AIR (SCW)793 2014 (1) SCR 609 1982 CriLJ 317 1981 CLR 517 AIR 1980 SC 1789 AIR 1977 SC 1361	

103. Doctrine of Locus Poenitentiae-explained.

Supreme court	High Courts
2020 SCMR 188 2019 SCMR 64 2018 SCMR 691 2016 SCMR 460	2018 PLC (CS) 292 2009 (27) LCD 1716

104. Vested right is a right created and acquired under the law.

Supreme Court	High Court
2005 SCMR 534 2004 SCMR 1673	2019 PLC (CS) 1345 Lahore

105. Appointment in violation of principles of transparency and fairness are illegal and not sustainable in law.

Supreme Court	High Courts
1997 SCMR 1043 PLD 1997 SC 835 1996 SCMR 1349 1995 SCMR 999 1993 SCMR 1287	2016 PLC (CS) Islamabad 2004 PLC (CS) 892

106. The government has the right to enhance qualification and standards for recruitment and promotion in order to maintain efficiency. High Court has no jurisdiction to interfere.

Supreme Court	High Courts
2011 SCMR 1864 2006 SCMR 1427 PLD 1996 SC 197	2019 PLC (CS) 932 Lahore 2019 PLC (CS) 70 Peshawar

107. Right to promotion is a vested right and cannot be taken away by a prospective amendment of a rule.

International Jurisdictions
1995 (1) CLJ (Service) 487 AIR 1990 SC 1233 1984 3 SCC 281 1983 2 SCC 33

108. Public Trust Doctrine ---- Public trust resources can not be converted into private use or any other use other than a public purpose.

Supreme Court	High Courts	International Jurisdictions
2015 SCMR 1520 2010 SCMR 885 PLD 1994 SC 693	PLD 2020 Lahore 137 2016 MLD 481 Lahore PLD 2012 Baluchistan 31 2005 CLC 424 Sindh	2017 (5) AIR Bom.R 157 2015 (111) ALR 647 (2013) EWHC 3449 (Admin) 2011 AIR (SCW) 5424 (2008) EWHC 1047 (Admin) 2006 AIR (SC) 1350 2005 AIR (SC) 4256 2004 EWHC 2846 (Admin) 2000 AIR (Karnataka) 215 1996 (3) WLC 611 (1931) 1 Ch.254 (1905) 2 KB 426

109. Doctrine of Reading Down is an internal aid to construe the word or phrase in a statute to give reasonable meaning but not to detract, distort or emasculate the language so as to give supposed purpose to avoid unconstitutionality.

Supreme Court	High Courts	International Jurisdictions
2020 SCMR 1279 2016 SCMR 931 PLD 2014 SC 531	2023 CLD 691 Karachi PLD 2021 Sindh 256 2015 CLC 1509 Lahore	2014 AIR SC 563 (2002) 254 ITR 337 (Guj) AIR 1980 SC 1042 (1974) 2All ER 97, 100

	PLD 2015 Lahore 146 PLD 2014 Lahore 221	
--	--	--

110. The scheme of the statute has to be considered for determining the directory or mandatory nature of a particular provision.

Supreme Court	High Courts
1984 SCMR 493	2001 CLC 848 Karachi PLD 2000 Lahore 108

111. Implied repeal of an earlier statute or a provision thereof by a later statute---Essential conditions stated.

Supreme Court	High Courts
PLD 2006 SC 249 PLD 2003 SC 828 PLD 2001 SC 169 1996 SCMR 826 PLD 1973 SC 451 PLD 1964 SC 673 PLD 1956 SC 200	2018 CLD 1152 Islamabad

112. Leges posteriores priores contrarias abrogant--- later laws repeal earlier laws inconsistent therewith.

Supreme Court	High Courts
PLD 1996 SC 77	PLD 2020 Peshawar 70 PLD 2016 Peshawar 212 2002 CLD 1392 Karachi

113. Where two "co-ordinate sections", were apparently inconsistent, an effort must be made to reconcile them, if it was impossible, the latter would generally override the earlier.

Supreme Court	High Courts	International Jurisdictions
PLD 1976 SC 483	1995 MLD 1299	2014 PLC (C.S.) 534 Supreme Court (AJ&K)

114. If a right was vested in a person under law, and later on the said right was snatched by amendment, the operation of such amendment would be prospective and not retrospective.

Supreme Court	International Jurisdictions
PLD 1976 SC 483 PLD 1967 SC 259 PLD 1965 SC 681	2011 SCR 390

115. Provisions in different statutes but having bearing on the same subject may be read together in a complimentary manner.

High Courts
2009 CLC 1431Karachi

116. Repugnancy between Provincial and Central Legislature could be ascertained on basis of three principles; viz. whether there was direct conflict between provisions of two statutes; whether Parliament intended to lay down an exhaustive Code in respect of the subject matter replacing the Act of the Provincial Legislature and whether the law made by Parliament and law made by Provincial Legislature, occupied the same field.

Supreme Court	High Courts	International Jurisdictions
1999 PLC(C.S.) 1222	2004 CLC 1797 Karachi PLD 1995 -Lahore 56	AIR 1967 SC 442 AIR 1959 SC 648 AIR 1956 SC 676 AIR 1954 SC 752

117. High Court will not go into disputed questions of fact in Constitutional jurisdiction.

Supreme Court	High Courts
2011 SCMR 1813 2011 SCMR 1990 2011 SCMR 279	2012 MLD 1830Peshawar 2009 YLR 2220Peshawar 2019 MLD 665 Sindh 2018 YLR 1038Sindh 2014 CLC 639 Sindh

118. Grounds for writ of Certiorari in Family Cases.

Supreme Court	High Courts
2001 SCMR 338 1996 SCMR 1165 2008 SCMR 1584	2010 YLR 445 Lahore 2010 MLD 1337Lahore 2009 YLR 2334Lahore 2009 MLD 945Lahore 2008 YLR 1847Lahore 2008 YLR 1826Lahore

119. Scope of an application for review is limited.

Supreme Court	High Courts
2017 SCMR 1519 2017 SCMR 309 2017 PLC (CS) 1187 2016 SCMR 196 2004 SCMR 1213 1996 SCMR 710	2019 PLC (CS) 1143 Peshawar 2017 MLD 827 Lahore 2017 CLC Note 192 Lahore 2017 CLC 1353 Sindh

120. There is ample power vested in the High Court to issue directions to an executive authority when an authority is not exercising its power bona fide for the purpose contemplated by law or is influenced by extraneous and irrelevant considerations.

Supreme Court	High Courts
PLD 2004 SC 271 1986 SCMR 916 PLD 1958 SC 437	1996 MLD 123 Lahore 1992 CLC 1158 Lahore PLD 1989 Lahore 49 PLD 1968 Karachi 599

121. Special Court or Tribunal are to be established and constituted by making appointment with meaningful consultation of the Chief Justice of the High Court and by providing security of tenure for a period which will not act as a disincentive.

Supreme Court	High Courts	International Jurisdictions
PLD 2013 SC 501 PLD 1998 SC 1445	PLD 2019 Peshawar 145 PLD 2010 Peshawar 7	AIR 1987 Supreme Court 386

	PLD 2010 Karachi 27 PLD 1996 Lahore 542	
--	--	--

122. A preamble sheds useful light as to what a statute is intended to achieve or remedy, it is true that the preamble cannot control, restrict, extend or otherwise add to or detract from a substantive provision of the statute, where it is expressed in clear unambiguous language.

Supreme Court	High Courts	International Jurisdictions
2010 SCMR 1254 2000 SCMR 814	2023 CLD 655 Lahore 2023 CLD 1098 Lahore 2017 PTD 406 Lahore 2015 CLC 734 Islamabad 2001 PCr.LJ 146 2000 PTD 3369 Lahore 1998 PLC (CS) 694 Karachi PLD 1969 Lahore 563 PLD 1969 Dacca 1 PLD 1969 Lahore 908 PLD 1962 (WP) Peshawar 161 PLD (Rev) 1949 West Punjab 27	2006 (4) RCR (Civil) 849 2004 AIR (SC) 1896 2003 AIR (SC) 1533 1988 (2) SLR 555 1984 AIR (AP) 75 1983 LIC 1721 1966 AIR (AP) 51 (1957) AC 436 (1899) AC 143

123. Where two possibilities regarding a fact are possible the one more favorable to the subject to be preferred.

Supreme Court	High Courts	International Jurisdictions
PLD 1956 FC 209 PLD 1951 FC 118	1985 PLC (CS) Federal Service Tribunal	1983 PCr.LJ 796 (Supreme Court AJ&K)

124. It is settled principle of interpretation that when a provision of a statute is couched in negative language, it is all the more mandatory and preemptory.

Supreme Court	High Courts
2015 SCMR 1494	PLD 2020 Islamabad 378
1995 SCMR 1249	2007 CLC 315
1991 SCMR 599	2007 CLD 232
PLD 1986 SC 178	PLD 2006 Karachi 25
PLD 1971 SC 61	2006 PLC 606
	PLD 2005 Lahore 190
	1996 MLD 464 (Federal Shariat Court)

125. Statute providing change of forum, pecuniary or otherwise, is procedural in nature and has retrospective effect unless contrary is provided expressly or impliedly or it effects the existing rights or causes injustice or prejudice.

Supreme Court
2022 SCMR 487
1996 SCMR 237
1994 SCMR 1007
PLD 1988 SC 391
1987 SCMR 978
1972 SCMR 173
1969 SCMR 166

126. The nature of office of the ombudsman-elaborated.

Supreme Court	High Courts	International Jurisdictions
PLD 2013 SC 501	2023 PLJ Peshawar 94	AIR 2007 SC 1467
PLD 2005 SC 873		1984 SCC 121
PLD 2001 SC 142		

1999 SCMR 2189		
----------------	--	--

127. The legislature, the executive and the judiciary are required to perform their functions and exercise their powers within the allotted sphere.

Supreme Court	High Courts
PLD 2010 SC 265 PLD 1999 SC 504 PLD 1998 SC 1445 1997 SCMR 141 PLD 1997 SC 32 PLD 1996 SC 324 PLD 1993 SC 341 PLD1973 SC 49	PLD 2010 Karachi 27 PLD 1989 Karachi 404

128. Doctrine of Abuse of process and its applicability in litigation.

Supreme Court	High Courts	International Jurisdictions
2019 SCMR 663	PLD 2015 Islamabad 140	2016(4) ILR (H.P.) 1025 1998 AIR (SC) 1297 1988(2) KLT 732

129. Literal construction is to be adopted while interpreting fiscal or taxing statute.

Supreme Court	High Courts
2023 SCMR 1407 2023 SCMR 1166	2022 PTD 477 Peshawar

130. A taxing statute usually contains charging and machinery provisions. The former fixes the liability to pay tax and has to be constructed strictly and where two reasonable interpretations are possible one which favors the subject should be accepted.

Supreme Court	High Courts
2021 SCMR 536 (1992) 66 Tax 140	2023 PTD 750 Peshawar PLD 2023 Peshawar 82 2022 PTD 1806 Karachi 2022 MLD 1680 Karachi 2021 CLD 629 Karachi 1989 PTD 1048 Karachi

131. Ordinarily words 'shall' or 'must' show that Legislature intended to make provision mandatory while use word 'may' would indicate that it wanted to make it directory but they are often used interchangeably---No litmus test is available to determine whether a statutory provision or rule is mandatory or directory.

Supreme Court	High Courts
PLD 2012 SC 268 2000 SCMR 1305 PLD 1974 SC 134	PLD 2020 Lahore 87 2017 CLCL 131 Lahore

132. Legislative entries are fields of legislative power which are to be interpreted and applied in the widest possible terms.

Supreme Court
PLD 2023 SC 720

133. If two interpretations of a provision of a criminal statute are reasonably possible, the one that is favorable to the accused, not the prosecution, should be preferred.

Supreme Court	High Courts
PLD 2023 SC 648 2022 SCMR 1806 PLD 2018 SC 178 2017 SCMR 1572 1998 SCMR 1794	2023 PCr.LJ 169 Lahore

**134. Interpretation of 'Constitution' and interpretation of a 'statute'--
-Principles laid down.**

Supreme Court
PLD 2023 SC 42

135. Provision ousting the jurisdiction of a civil court is to be construed strictly and established rights cannot be disturbed, nor can an ouster clause deprive anyone of property.

Supreme Court
PLD 2023 SC 340



CIVIL/ FAMILY / RENT

<u>(CIVIL - FAMILY - RENT)</u>		
1.	Whether withdrawal of a suit on the basis of compromise creates a bar for filing of subsequent suit on same subject matter and same cause of action?	1
2.	Presumption of truth is attached to a registered sale deed.	1
3.	Effect of repeal of section 100 of CPC on pending lis.	1
4.	Case law on inheritance.	2
5.	Plea of Fraud in matter of inheritance cannot be taken at a belated stage.	2
6.	Retrospectivity in cases of inheritance-explained.	2
7.	Shifting of burden of proof to the person who is in possession of registered sale deed.	2
8.	Scope for withdrawal of suit at revisional stage.	3
9.	Limitation would not run against a co-sharer to challenge a fraudulent gift deed.	3
10.	Transfer of property through Sale mutation by a pardanasheen lady to a close relative.	3
11.	Case Law on S.141 of The Land Revenue Act,1967	3
12.	Applicability of Section 12 (2) of the Limitation Act, 1908 to proceedings under Article 168 of the said Act.	3
13.	Case law on; Art. 163 - 181 of the Limitation Act, (1908)—Period of limitation for restoration of an application for setting aside ex-parte decree or order.	4
14.	Whether time, in a hardship case, can be extended to a defendant under O.XXXVII, R.2 of the C.P.C who fails to file an application for leave to defend within a period of ten days?	4
15.	Essential requirements for validity of a Gift by a pardanasheen lady.	4
16.	Mutation and registration of a gift-deed is not sufficient for a valid gift rather the same must be proved independently.	4
17.	Pardanasheen lady must have an independent advice of her nears and dears at the time of making a valid gift, particularly when gift is made by her in favor of one of her children.	5
18.	Presumption under Article 129(g) of the Qanun-e-Shahadat Order,1984 in making of gift.	5
19.	Power of the Court to compare the disputed signatures.	5
20.	Principles as to presence of vendor at the time of sanction of mutation as per section 42-A (7) of Land Revenue Act, 1967.	5
21.	Dismissal of suit for non-production of evidence in terms of O.XVII, R. 3, C.P.C. Appellate Court accepted appeal, remanded case to Trial Court, with cost----its legal effect.	6
22.	Market value/compensation of the acquired land can only be determined through appointment of local commission under O.XXVI, Rule 9, C.P.C.	6
23.	Wrong date of hearing would constitute sufficient cause in terms of O.XXXVII, Rule 4 of CPC.	6

24	Scope for extension of enhancement of compensation to landowners who have not filed appeal.	6
25	Mode and manner of the execution of decree, passed under order XXXVII C.P.C,1908-explained.	7
26	Essential/requirements of a valid gift under Mohammadan Law.	7
27	Mutation is not a proof of title and a beneficiary thereunder must prove the original transaction.	7
28	Mode and manner of recording statement of vendor through commission for attestation of mutation under S. 42 of the West Pakistan Land Revenue Act,1967.	7
29	Case Law relating to Article 79 of The Qanun-e-Shahadat, 1984.	8
30	Appointment of a fresh local commission in some cases.	8
31	Principles for grant of award & its change in Reference u/s.30 of the Land Acquisition Act,1894.	8
32	Mode and manner of the execution of a decree, passed by a civil court in a suit for declaration and possession.	8
33	Transfer by ostensible owner---Protection under S.41 of Transfer of Property Act, 1882---Principle.	9
34	Plea of Res judicata ---- framing of preliminary issue(s) & providing opportunity for producing pro & Contra evidence.	9
35	Necessity for filing of leave to appear and defend the suit prior to application for setting aside an Ex-parte decree under O.XXXVII of C.P.C.-explained.	9
36	Period of limitation for claiming past arrear for minor and wife.	10
37	Land Acquisition Act----Enhancement of compensation---Power of appellate court to grant such relief -to non appealing party.	10
38	Whether statement of an arbitrator is necessary before the court in support of award?	10
39	Grounds for setting aside arbitration award-explained.	10
40	Consolidation of suits/references-explained.	10
41	Recording statement of witness through commission after new amendments in CPC.	11
42	Imposition of heavy cost on false and frivolous litigation.	11
43	Limitation for specific performance of contract.	11
44	Mode and manner of execution of a decree for declaration granted by civil court in favor of co-sharer.	11
45	The Court should not assign to a local commission, the function which it can perform itself.	12
46	Limitation period for challenging a transaction or mutation by a minor after attaining majority.	12
47	Principles for execution of a general power of attorney.	12
48	Sufficient cause/cogent reason must be disclosed in an application for getting an ex parte decree set aside though the same is filed within the prescribed period of limitation.	12

49	Mode & manner of execution of decree against Government.	13
50	Jurisdiction of Civil Court or Revenue Court when land changes it's nature.	13
51	Difference between "Land Owner" & "Owner of Land".	13
52	Limitation---Condonation of delay---Scope---Each and every day's delay is to be satisfactorily explained	13
53	In the prevailing society at the relevant time widow used to be having property of her deceased husband but as a limited owner.	14
54	Trial court is under legal obligation to allow an application for further evidence in the interest of justice even after closing of evidence.	14
55	Appreciation of evidence by High Court when the findings of two courts below are at variance.	14
56	Order. XXXVII, R.2 of the C.P.C..... Court has to pass decree forthwith where leave to defend is either not applied for or not granted.	14
57	Right of Legal heirs to challenge the validity of a mutation not challenged by their predecessor.	15
58	Principles/ guidelines for amendment in pleading at appellate stage.	15
59	Applicability of Order II Rule 2, CPC on a suit filed simultaneously in connected matter.	15
60	Additional evidence requested at appellate stage.... Guidelines set by superior courts.	15
61	If a complaint under the KP Consumer Protection Act 1997 has been filed beyond the prescribed period of Limitation, then whether the court has the power to extend the time and Condone the delay, if occurred?	16
62	Mode and manner of partition inside "lallakir"/ Abadi-Deh.	16
63	Case law on Lagan----Bila Lagan Ba Tasawar Malkiyat etc.	16
64	Effect of non-filing of documents with revision petition u/s 115 C.P.C.	17
65	Where a statute has provided a right of appeal against a decision of a forum, the same cannot be bypassed to file constitutional petition.	17
66	Long standing entries in the Revenue Record---its evidentiary value and how it is to be rebutted?	17
67	Burden of proof is on party approaching the court.	18
68	Validity of placing official Revenue Record on file at any time and at any stage of proceedings even before High Court and Supreme Court.	18
69	Standard of proof of a document and its contents.	18
70	Interpretation of the revenue record and the preference of various columns i.e. column of ownership, column of cultivation and column of lagan and other documents.	19

71	Demarcation proceedings can only be carried out by Revenue Officer of the rank mentioned in Section 7 of the Land Revenue Act, 1976.	19
72	Fard-Badar and its scope under the Land Record Manual.	19
73	Requirements for attestation of mutation in case of transaction executed by Pardanashin lady.	19
74	Plaintiff has to prove his case on the strength of his own evidence.	20
75	Mere possession cannot be equated to ownership.	20
76	Rebuttable presumption of truth is attached to entries of mutation.	21
77	Scope and principles for moulding of a relief.	21
78	Scope of a suit filed for specific performance on the basis of an unregistered sale deed.	22
79	Legality of the customary law before the application of Muslim Personal Law (Shariat Application) Act, 1935.	22
80	Legal status of inheritance prior to Punjab Laws Act, 1872.	22
81	Scope for appointment of local commissioner more than once.	23
82	Filing of a suit by or against unregistered firm under section 69 of the Partnership Act, 1932.	23
83	Scope for filing of second revision before SMBR under the Land Revenue Act, 1967.	23
84	Application of principle of preponderance of evidence in civil and family cases.	24
85	The court has to take into account only plaint for a decision under Order VII, R. 11 of CPC.	24
86	Court is required to decide miscellaneous application prior to disposal of the lis or along with the same.	24
87	Legal effect of non-examination of postman in pre-emption cases.	24
88	Mutation is not a proof of title and a beneficiary thereunder must prove the original transaction.	24
89	Status of a registered deed and its evidentiary value-explained.	25
90	Applicability of the provisions of Sec. 11 C.P.C. to a decree passed on the basis of compromise.	25
91	Applicability of the provisions of Sec. 11 CPC & Order II R-2 to a case decided on the basis of compromise.	25
92	Pre-requisites of suit for damages-explained.	26
93	Issuance of show cause notice to the judgement debtor prior to his arrest and detention is mandatory in terms of section 51 CPC.	26
94	A person can be allowed by a Court to transfer the disputed property during the pendency of a suit.	26
95	Accrual of cause of action for filing a suit of damages-explained.	26
96	Entitlement of the Land owner to receive fair and just compensation for the acquired land under the Land Acquisition Act 1894.	27

97	The term "Consideration" is not restricted to monetary benefits.	27
98	Power of the Revisional Court to re-appraise evidence in case of concurrent findings by the two courts.	27
99	Cases in which a Revisional Court may re-appraise evidence-explained.	27
100	High Court cannot reverse the findings of fact recorded by the trial and appellate court while exercising the writ jurisdiction under Article 199 of the Constitution.	28
101	An order passed by the trial court under Order VII, Rule 11 CPC for rejection of plaint can be challenged through an Appeal or Revision.	28
102	Constitutional petition is not maintainable against remand order.	28
103	Civil Court has no jurisdiction to entertain the dispute regarding affairs of the Society which are conducted under the Co-operative Societies Act, 1925.	29
104	Yardstick for imposition of cost on account of false & frivolous case/litigation-explained.	29
105	Mode and manner for claiming charges by one party (e.g contractor) from another party due to delay caused by him/her which have escalated the prices of materials for construction etc.	29
106	Partial partition is not permissible under the law.	30
107	Jurisdiction of a Civil Court cannot be ousted where the order passed or action taken by the Authority/ Tribunal, is illegal, mala fide or contrary to the principle of Natural Justice.	30
108	Essential/requirements of a valid gift- explained.	30
109	Instrument of gift is compulsorily registerable under section 17 of the Registration Act, 1908 and 123 and 129 of Transfer of Property Act, 1882.	30
110	Mode and manner of recording evidence or proceedings before the Bar Council Election Tribunal-explained.	31
111	Not only hearing but right of due hearing is the requirement of law-the concept explained.	31
112	Maintainability of a suit for partition of the joint family property by a usufructuary mortgagee.	31
113	Determination of Market Value & Potential Value of Land-explained.	32
114	Case Law on Article. 106 of the Limitation Act, 1908	32
115	Agreement is document of title or not.	32
116	The expression "site of a town or village and is not assessed to Land Revenue" under Section 3 of the Land Revenue Act, 1967. ----Jurisdiction of Civil Court or Revenue Authority.	33
117	Case law regarding Order XXIII, Rule 3 of CPC.	33
118	Maintainability of suit for specific performance of agreement	33

	to sell where property is described by metes and bounds without identification of khasra No of the property.	
119	Determination of fair compensation for acquired land under Section 23 of the Land Acquisition Act, 1894-principles elucidated.	33
120	Mode and manner of conduct of Civil Reference before a Political Agent wherein findings have been passed by council of elders (Jirga) in equal number.	34
121	Case Law on Section 28 read with Section 20, Articles 147 & 148 of the Limitation Act,1908.	34
122	Decision of a case on the basis of documentary evidence where plaintiff's right to produce oral evidence is struck of under Order XVII, Rule 3, C.P.C.	34
123	Maintainability of suit for challenging correction of entry in revenue record filed by a person not in possession of the property.	35
124	Effect of challenging entries in Revenue Record at a belated stage without possession under Section 53 of the Land Revenue Act, 1967.	35
125	Time required for payment of mortgage amount to the mortgagee after passing of a decree U/O XXXIV, Rule 7 of the CPC for redemption of mortgage.	35
126	Case law on Section 53-A of the Transfer of Property Act,1882.	35
127	Presumption attached to Thirty years old document produced from proper custody U/A 100 of the Qanun -e- Shahadat Order.	36
128	Scope for partial rejection of plaint.	36
129	Wajib-ul-Arz& its effect on partition of land.	36
130	Cause of action--- Connotation, meaning and scope, and its disclosure.	36
131	Documents and its contents are two different concepts. The parties are required to prove the documents & its contents independently.	37
132	Prospectivity or retrospectivity of procedural law.	37
133	Standard of proof for allegation of fraud.	37
134	Protection under section 53-A of the Transfer of Property Act,1882 is available where possession is delivered in pursuance of an unregistered deed.	38
135	One of the co-landlords or co-owners can seek eviction of tenant without impleading other co owners or associating them in the proceedings.	38
136	Oral Agreement-Its Status and Proof.	38
137	Where certainty regarding terms of agreement to sell is not forthcoming specific performance of such contract cannot be ordered.	38
138	Scope of consolidation of a family and a civil suit .	39
139	Power of Superior Courts to impose Cost.	39
140	Date, Time, Place in Preemption case -explained.	40

141	Period of limitation for restoration of a suit dismissed in default is provided under Art 163 of the Limitation Act 1908 as 30 days.	40
142	Procedure for determination of the potential value of Land in determining compensation for the land owners in land acquisition cases.	40
143	Effect of non-compliance of procedure laid down in Order I, Rule 8 of C.P.C.	41
144	Scope for auction of evacuee property.	41
145	Evidentiary value of evidence led beyond pleadings.	41
146	Scope for contempt proceedings for execution of a decree.	42
147	Bar of limitation in cases of inheritance.	42
148	Scope of section 175 of the West Pakistan Land Revenue Act, 1967.	42
149	Standard for reliance upon commission report by referee court for determination of market value of the acquired land or compensation.	43
150	No person can sell a better title than he himself possesses.	43
151	Execution of a decree which becomes nullity and is void.	43
152	An interference cannot be made by a Revisional Court in the Remand Order.	44
153	Application of principle of locus poenitentiae in case of execution of contracts for procurements of goods or issuance of work order by Government departments.	44
154	Role of Umpire in arbitration proceedings-explained.	44
155	Courts to act as guardians of marginalized segments at the time of decision of objection petition to nullify a lawful decree.	45
156	Directory and mandatory nature of a provision-explained.	45
157	Doctrine of Regulatory capture-explained.	45
158	Changed circumstances/ subsequent events can be considered by the court to avoid the multiplicity of proceedings.	46
159	Rights of Pendente lite Purchaser.	46
160	Determination of fair market value in the presence of a person, well conversant with the classification of land and its potentialities and factors to be considered at the time of fixation of market value.	46
161	Attested copies attached with appeal were not in the name of the appellant---its effect.	47
162	Ex-parte decree ----evidence to be discussed threadbare.	47
163	Shifting of burden of proof upon the plaintiff----- non framing of issue-----its effect.	47
164	Power of court to mould relief.	47
165	Maintainability of a case for Declaration without consequential relief.	48
166	Status of evacuee property being trust property.	48
167	Limitation for a case for Declaration with consequential relief.	48

168	High Court is not supposed to appreciate the evidence as a court of first instance.	48
169	Explanation of the terms “public purpose” “public service” “public interest.	49
170	Maintainability of fresh suit where the prior suit is dismissed for non-compliance of section 273 of Cantonments Act, 1924.	49
171	Review or appeal being substantive right cannot be invoked unless specifically provided under any law or statute.	50
172	Onus to prove a gift rest upon the beneficiary.	50
173	Delay of each day to be explained in respect of limitation.	50
174	Significance & importance of Local Commission for determining the fair price of acquired land, having regard to its potentialities and future prospects.	50
175	Enforceability of oral agreement-explained.	51
176	Limitation period for an application for Execution of decree.	51
177	Presumption of correctness is attached to the thirty years old document.	51
178	Secondary evidence is as good as primary evidence.	52
179	Rejection of plaint under Order VII, Rule 11 C.P.C.	52
180	Evidentiary value of cognovit.	52
181	Requirements for registration of power of attorney.	53
182	A registered document must not be accepted without proof of its execution, genuineness and authenticity.	53
183	Meaning of the term “Iqrarnama” in the context of Negotiable Instrument.	53
184	<ol style="list-style-type: none"> 1. Charges of fraud with full particulars thereof and date of knowledge ought to be given in pleadings. 2. In cases of fraud, limitation would start from the date of knowledge and not from the date of fraud. 3. No fresh period of limitation can be available to legal heir(s) of the injuriously affected person. 4. Locus standi of a third person in a case of fraud. OR Legal effect of unchallenged disputed mutation during lifetime of the affected person 5. The non-production of the witnesses of the gift deed does not invalidate the gift. 6. Gift is to be proved independently 	54
185	Procedure for consolidation of suits-explained.	55
186	Jurisdiction of Civil Court to try banking cases.	55
187	Limitation in inheritance cases-elucidated.	55
188	Jurisdiction of Civil Court in revenue matters.	55
189	Case law on suit for Rendition of Accounts.	56
190	Scope for filing of Intra Court appeal against the judgement/order of the company judge relating to liquidation of the company.	56

191	Case law on section 310 of the Companies Act, 2017.	56
192	Case law on: S. 304 of the Companies Act, 2017 & S. 305 of the Companies Ordinance, 1984.	56
193	Limitation period for filing an application for rectification under Section 126 of the Companies Act, 2017 and Section 152 of the Companies Ordinance, 1984.	57
194	Steps required for the merger of two companies under Section 279 to 285 of the Companies Act, 2017.	57
195	Applicability of Qanun-e-Shahadat Order 1984 & CPC 1908 & its procedure for recording of evidence under the Companies Act 2017.	57
196	Meaning & concept of the term "Default in payment of rent".	57
197	Concept of Pagri under the Urban Rent Restriction Ordinance, 1959.	58
198	Legality of order for Striking of right of defense due to non-compliance of the order passed by the Rent Controller.	58
199	Scope for setting aside of concurrent findings of two courts through a constitutional petition	58
200	Scope for filing of constitutional petition against interlocutory order of Rent Controller.	58
201	Principle for placing of burden of proof to prove the relationship of Landlord and Tenant.	59
202	Impleadment of necessary party in rent cases-explained.	59
203	Principle for abatement of eviction petition filed by the landlord under Section 17 of the Cantonments Rent Restriction Act, 1963 on the ground of personal need-elucidated.	60
204	Admissibility of admission made by a tenant on the question of title in subsequent proceedings.	60
205	Scope for eviction of tenant on expiry of tenure fixed in the agreement.	60
206	Ejectment petition filed by the landlord on the ground of personal need, does not abate the proceedings when he dies during its pendency before a Rent Controller.	61
207	Power of Rent Controller to impose costs in proceedings under the Khyber Pakhtunkhwa Urban Rent Restriction Ordinance, 1959.	61
208	Default in payment of rent & consequences thereof.	61
209	Provisions of the West Pakistan Urban Rent Restriction ordinance, 1959 are not applicable to buildings and industries.	61
210	Tenant is liable to pay the property tax in case of failure of the landlord.	61
211	Denial of relationship of landlord and tenant by tenant, eviction order to be passed if the tenant fails to establish his plea.	62
212	Mere ownership is not sufficient for establishment of	62

	relationship, rather relationship between the parties is to be established through evidence.	
213	Payment of rent must be established by producing cogent, reliable and confidence inspiring evidence.	62
214	Mode and manner of trial when relationship of landlord and tenant is denied.	62
215	Consequences of not giving any notice under Section 17 of the Cantonments Rent Restriction Act, 1963.	63
216	Once a tenant, is always a tenant irrespective of his status and nature of the tenancy.	63
217	Family Court alone is competent to entertain a suit for the recovery of the property given as dower to the wife.	63
218	Maintainability of a criminal case by a husband against his wife under Section 419, 420 PPC, besides contesting a family suit.	63
219	Physical torture is not necessary rather mental torture and agony, caused to the wife, is sufficient for the dissolution of marriage, under the Dissolution of Muslim Marriages Act, 1939.	64
220	Maintainability of a suit for the payment of dower before a Family Court by a widow against her in-laws.	64
221	Maintainability of a complaint under section 6 of Muslim Family Laws Ordinance, 1961 after divorce becomes effective.	64
222	High Court, in family matters, can exercise constitutional jurisdiction where findings recorded by the courts below are perverse, arbitrary and suffering from the vice of misreading and non-reading of evidence.	64
223	Status of suit for the payment of dower filed in a family Court by a widow against her in-laws.	65
224	Family Court can grant past maintenance allowance to wife beyond period of three years.	65
225	Dower fixed at the time of marriage, whether prompt or deferred, is immediately payable on account of second marriage.	65
226	Contingent Divorce under Muhammadan Law-concept explained.	66
227	Concept of payment of dower in case of dissolution of marriage through mubarat.	66
228	Standard of proof for dowry articles.	66
229	Requirement of two witnesses for the proof of document in a family suit.	66
230	Entries in Column 13 of Nikahnama-explained.	67
231	Case law on Maintenance of Wife.	67
232	Case law on suit for recovery of dower amount.	67
233	Case law on application for appointment of guardian for minor.	68
234	Case law on custody of minor. (Custody petition u/s. 25 of	68

	Guardian & Wards Act).	
235	where findings of the two Courts below are result of non-reading or mis reading of evidence then a Revisional Court must interfere therein to correct the course of justice.	69
236	Purpose and scope of Order VII, Rule 6 CPC.	69
237	Rights in shamilat-e-deh-explained.	70
238	Change of date of Birth-principles elucidated.	70
239	Claiming Damages on Defamation.	71
240	Case law on Illegal Dispossession.	71
241	Case law regarding Land Acquisition.	72
242	Cancellation of an Instrument & consequences thereof.	72
243	Can evidence be led or looked into in support of plea which had not been taken in pleadings?	73
244	Consequences when deed is not executable.	73
245	Extent of Jurisdiction of Encroachment Tribunal under NWFP Public Property Removal of Encroachment ACT 1977 explained.	74
246	Evidence of informer in Pre-emption cases has a vital role.	74
247	Claim of Inheritance by Legal Representative of Legal Representative.	74
248	Power of an authority to lift the veil of incorporation.	75
249	Executing Court while executing decree has to determine how and in what manner decree is to be executed.	75
250	Principle of nearer in blood shall exclude the more remote-explained.	75
251	Court can mould relief and can grant relief to defendant without claim as set off.	76
252	Whether it is mandatory that plaintiff/bank shall file statement of accounts duly certified under the Bankers Books Evidence Act, 1891 along with plaint? What is its scope with reference to Electronic Transactions Ordinance, 2002?	76
253	In view of Section 47 of Registration Act 1908, what will be the operative date of a registered deed, the date of execution of deed or the date of its registration?	77
254	Meaning and concept of the term "Material Fact"-elucidated.	77
255	Evidentiary value of oral evidence recorded by the Commission laid down.	77
256	Distinguishing feature of exchange and sale transaction for proof of pre-emption.	78
257	Can " <i>Aust Panj Sala</i> " be used to determine current value of the land exchanged?	78
258	Relevance of 'reserve price' in respect of sale/privatization of Government owned property and importance of not disclosing such reserve price to public.	78
259	Jurisdiction of civil courts in respect of matters falling within canal and drainage authorities.	78
260	Application of judicial mind in Banking matters by Banking Court is necessary.	79

261	Applicability of the provisions of the Limitation Act, 1908 to proceedings under Financial Institutions (Recovery of Finance) Ordinance, 2001.	79
262	Determining jurisdiction of court regarding trial of offences under Section 20 of Financial Institution Ordinance, 2001 and scheduled offences of Offences in Bank(Special Courts) ordinance, 1984.	79
263	Can appeal against interim order of banking court be converted into constitutional petition?	80
264	The distinction between interlocutory and final order, whether appeal is barred against interim order of Banking Court?	80
265	whether leave granting/refusing order to defend and appear is appealable under Financial Institutions (Recovery of Finance) Ordinance, 2001?	80
266	Whether appeal is maintainable against rejection of application for leave to defend in banking suits?	81
267	Status of statement of account prepared by state life-explained.	81
268	Case Law relating to Child labor in Pakistan and India.	81
269	Agent, Broker and dealer defined.	81
270	Case law on environmental issues.	82
271	Criminal and Civil Liability of a Master in relation to his servant.	82
272	"Res Ipsa loquitur", its application in Pakistan.	83
273	Ejectment on oral Personal bonafide need of Landlord.	83
274	Ejectment upon plea of reconstruction of rented building.	83
275	Scope for production of additional evidence in rent matters.	84
276	Default in Payment of rent and denial of relationship as landlord & tenant.	84
277	Is oral tenancy admissible under the law?	84
278	Limitation for recovery of arrears of rent and payment of month-to-month rent.	84
279	How period of illegal occupancy and fine can be determined?	85
280	Question of title cannot be decided by a rent tribunal/court.	85
281	Scope for recovery of past rent through a recovery suit.	85
282	Calculation of court fee on memorandum of rent matters?	85
283	Period of Limitation regarding second appeal in rent cases.	86
284	Can concurrent findings in rent case be assailed under constitutional jurisdiction, be declined?	86
285	Appellate Court cannot Suo motto grant maintenance which is not prayed for.	86
286	Date of effectiveness of Talaq- explained.	86
287	Case Law on Section 15 & 16 of The West Pakistan Civil Courts Ordinance, 1962.	87
288	Declaration without consequential relief is not maintainable	87
289	Declaration without consequential relief is maintainable.	87
290	The Court is empowered to mold relief but no relief can be granted which a plaintiff has not sought in the plaint unless it is a general relief.	88

291	In an application under section 12 (2) it was not essential for trial court to frame issues for leading evidence.	88
292	Meaning and concept of the term "Jagir".	88
293	Refund of earnest money- the award of compensation by the court under Section 74 of the Contract Act will depend upon its finding as to what in the facts and circumstances of the case is reasonable compensation.	89
294	The principle of res-judicata cannot be pressed into service unless it is established that the matter in issue was earlier adjudicated on merits and conclusively decided.	89
295	Process of execution cannot be shifted towards the grandfather only on account of the fact that judgmentdebtor has failed to discharge his liability under the decree.	89
296	Re-appraisal of evidence by High Court where findings of fact arrived by courts below are found to be based upon misreading, non-reading or misinterpretation of evidence.	90
297	Grounds for second appeal-stated.	90
298	Mere concession on a question of law by a party would not operate as an estoppel.	90
299	The revisional jurisdiction of the High Court is always discretionary and equitable in nature.	91
300	The concept of waiver and estoppel-explained.	91
301	It is settled law that when basic order is illegal the superstructure built on it would have to fall automatically.	91
302	Family arrangement is subject to regular partition and deed of partition is subject to approval of Revenue Authority.	92
303	Private partition, if proved suit for partition will not lie. Suit for possession can be filed.	92
304	Right of inheritance of female cannot be denied on the basis of oral assertion of surrender of such right by a female in favor of male member of the family.	92
305	Civil Court is competent to entertain cases arising out of contractual obligations. Writ petition will not lie.	93
306	It is settled law that when the statute does not provide a right of appeal against certain orders, the same cannot be challenged by invoking constitutional jurisdiction	93
307	Right of review was a substantive right and was creation of a statute.	93
308	Meaning and definition of the term "Modify".	94
309	Revisional Jurisdiction of the High Court is somewhat analogous to the writ jurisdiction and cannot be equated with the civil suit.	94
310	Government Department cannot be treated differently in the matter of limitation.	94
311	Co-owner cannot restrain other co-owners from raising construction without official partition.	95
312	A bona- fide purchaser in view of the rule/doctrine	95

	of lis pendens shall be bound by the result of the suit stricto sensu in all respects.	
313	Award of compensation---Principles.	95
314	What is meaning of the word "Willful Default" in terms of payment of rent by the tenant.	96
315	Purpose and scope of summary judgment.	96
316	The power of attorney must be strictly construed and proved.	96
317	Lease deed for period of more than one year; registration is compulsory.	96
318	A lease is prima facie a heritable right.	96
319	An appellate court may mould relief and grant decree as required by the merits of the case.	97
320	On filing of appeal, the entire matter becomes re-opened and sub-judice and has to be decided in accordance with the prevailing law.	97
321	Nature and history of Waqf property	97
322	A Waqf created under Muslim Law is irrevocable. The only exception to this rule is that of testamentary waqf.	97
323	Service Tribunal has the power to entertain an application under Section 12(2) of CPC.	98
324	An application under Section 12 (2) CPC is maintainable before the Family Court.	98
325	Scope for maintainability of an application under Section 12 (2) CPC under West Pakistan Urban Rent Restriction Ordinance, 1959-explained.	98
326	Application under Section 12 (2) CPC is maintainable in proceedings under Banking Companies (Recovery of Loans, Advances, Credits and Finances) Act, 1997.	98
327	Maintainability of an application under Section 12 (2) CPC against order passed by High Court under Article 199 of the Constitution.	99
328	Application under Section 12 (2) was to be filed before the forum which passed the final order/decreed.	99
329	An application under Section 12 (2) CPC is not maintainable against consent decree.	99
330	Decree passed on the basis of award can be assailed through filing an application under Section 12 (2) CPC.	99
331	Provision of Section 12 (2) CPC cannot be used as an alternative for ordinary remedy of appeal/revision.	100
332	Application under Section 12 (2) CPC after filing review petition is not maintainable.	100
333	Application under Section 12 (2) CPC would be governed by Article 181 of the Limitation Act, 1908 which prescribes a period of three years.	100
334	Necessary ingredients of the fraud must be pleaded in the application.	100
335	Procedure provided under Order IX or Section 151 of CPC is applicable for restoration of application under Section 12 (2) CPC.	101

336	The concept of arguable case for grant of temporary injunction- explained.	101
337	Section 53 of the Transfer of Property Act or Section 391 of the Companies Act, 2017 seeks to preserve the status of the assets when transferred to third party with a fraudulent purpose.	101
338	The concept of necessary parties in a family suit-explained.	101
339	The Board of Revenue can call for record of any case or proceedings under Sub-Para 7, Para 25 of Martial Regulation 115.	102
340	Meaning & concept of “an act of willful default”.	102
341	The agreements which are specifically enforceable under the law-elucidated.	102
342	Injunction cannot be granted to prevent the breach of a contract which was not specifically enforceable.	103
343	The attorney has to act as an agent of the principal-concept explained.	103
344	Dower once paid and then snatched will not become civil liability.	103
345	No limitation runs against inheritance right of a female where she has been defrauded of her right by her family.	103
346	Causes emanating from different jurisdictions cannot be consolidated in a single proceeding, a civil matter cannot be consolidated with a criminal matter, so also it cannot be consolidated with a family matter.	104
347	Power of the Family Court to enhance maintenance without filing fresh suit.	104
348	Any suit or cause of action which is premature, does not entail dismissal of that cause but it results into rejection under O.VII, Rule 11 C.P.C and that does not operate as res-judicata	104
349	Maintainability of a suit for partial partition.	104
350	Guidelines for partition of property.	105
351	Remedy available to a co-sharer in possession on a portion of joint property is dispossessed by another co-sharer.	105
352	Under the law service by publication is good service even in respect of parties living abroad.	105
353	The service of Talb-e-Ishhad is a pre-requisite for proof of a pre-emption case.	106
354	An executing court cannot go beyond the decree except where the decree is void, nullity, inexecutable or is passed without jurisdiction.	106
355	Principles for summary rejection of an objection petition laid down.	106
356	No embargo is placed on the executing court to allow amendment in the execution, as long as it causes no prejudice and the intended amendment does not travel beyond the decree.	107

357	Order under Section 12 (2) CPC is not appealable and only remedy of revision is available.	107
358	Company is a separate juristic person distinct from its shareholders or directors.	107
359	Meaning & concept of the term "Jactitation of marriage", distinction between dissolution of marriage and jactitation explained.	108
360	Distinction between rejection of plaint and dismissal of suit.	108
361	Object of attachment of property before judgment explained.	108
362	Pre-conditions for attachment before judgment explained	108
363	Article 120 of the Limitation Act, 1908 applies to suit for maintenance.	109
364	Document of amicable partition unregistered and unstamped cannot be relied upon for purpose of proving partition.	109
365	A Reference can be filed on a question of law and in cases where the decree is not subject to appeal.	109
366	Territorial jurisdiction for filing a petition under Section 270 of the Succession Act, 1925.	109
367	Issuance of letter of probate or succession certificate cannot be treated as declaration with regard to legal heirship or title of the properties.	110
368	Status of nominee for succession certificate.	110
369	Property for which succession certificate can be issued.	110
370	Right of Legal heirs to challenge mutation of inheritance which remained unchallenged during the life time of their predecessor.	110
371	Execution of a decree is to be governed by residuary Art. 181 of Limitation Act, 1908. Limitation for subsequent application is six years.	111
372	Procedure for execution of pre-emption decree and its limitation explained.	111
373	Application for setting aside ex-parte decree dismissed in default, limitation for restoration of parent application would be governed by Article 181 of Limitation Act.	111
374	Legal effect of non-verification of plaint as provided under the law.	111
375	Meaning of the term "formal defect" and "other sufficient cause".	111
376	Power of Civil Court to entertain suit relating to agricultural property.	112
377	Section. 70 & 70-A of the Cooperative Societies Act, 1925 & jurisdiction of civil court, elucidated.	112
378	Scope of an Agreement to sell written on plain paper & no particular mentioned.	112
379	Courts are empowered to mould relief in order to do complete justice and to avoid multiplicity of proceedings.	112
380	Whether grievance redressal mechanism, provided under the public Procurement Regulatory Authority Act, ousts the jurisdiction of other courts when a person is aggrieved of the act of procuring entity?	113

(CIVIL – FAMILY – RENT)

1. Whether withdrawal of a suit on the basis of compromise creates a bar for filing of subsequent suit on same subject matter and same cause of action?

Supreme Court	High Courts
2017 PLC(C.S.) SC 717 2017 SCMR 2005 2016 SCMR 1403 2013 SCMR 464 PLD 2008 SC 146	2018 CLC Karachi 912

2. A Registered sale deed carries a presumption of truth according to Art. 129 of the QSO 1984 and section 60 of the Registration Act, 1908

Supreme Court	High Courts
2022 SCMR 1282 2021 SCMR 1986 2014 SCMR 1217 2010 SCMR 5 2007 SCMR 996 2006SCMR1144	2021 YLR 1090 Peshawar 2018 YL R 2429 Peshawar 2018 CLC 478 Sindh 2017 YLR Note 215 Peshawar 2011 CLC 870 Peshawar 2010 YLR 3007 Lahore 2010 CLC 970 Lahore 2010 MLD 117 Lahore PLD 2013 Karachi 284

3- Effect of repeal of section 100 of CPC on pending lis.

Supreme Court	High Courts
2013 SCMR 314 1997 SCMR 190 1996 SCMR 1688 PLD 1970 SC 264	2016 YLR 2683 Lahore

4. Case law on inheritance.

Supreme Court
PLD 2023 SC 362
2008 SCMR 230
2008 S C M R 905
2003 SCMR 1535
PLD 1991 SC 582
1990 SCMR 1667

5. Plea of Fraud in matter of inheritance cannot be taken at a very belated stage

Supreme Court
PLD 2023 SC 362
2016 SCMR 1403
PLD 2014 SC167
2013 SCMR 299
2007 SCMR 1446
2004 SCMR 517

6. Retrospectivity in cases of inheritance, explained.

Supreme Court	High Courts
PLD 2012 SC 217	2016 YLR 1858 Peshawar
2001 SCMR 103	2014 YLR 1441 Peshawar
1992 SCMR 82	2012 CLC 1944 Peshawar
PLD 1991 SC 582	PLD 2011 Peshawar 148
PLD 1991 SC 93	2001 MLD 729 Lahore
1988 SCMR 293	PLD 1981 Peshawar 129
PLD1984SC394	

7. Shifting of burden of proof to the person who is in possession of registered sale deed.

High Courts
2017 YLR Note 25 Lahore
2017 YLR Note 215 Peshawar
2011 CLC 870 Peshawar
2005 YLR 2108 Lahore

8. Scope of withdrawal of suit at revisional stage.

Supreme Court	High Courts
2021 SCMR 1775 2013 SCMR 464	PLD 2018 Balochistan 34

9. Limitation would not run against a co - sharer to challenge a fraudulent gift deed.

Supreme Court	High Courts
PLD 2022 SC 85 PLD 2006 SC 322 PLD 2002 SC 823 1991 SCMR 1369 PLD 1990 SC 1	2018 CLC 299 Balochistan

10. Transfer of property through Sale mutation by a pardanasheen lady to a close relative.

Supreme Court	High Courts
2016 SCMR 1225 2016 SCMR 862 PLD 2008 SC 140 1998 SCMR 1354	2018 YLR 1028 Lahore 2007 CLC 143 Peshawar

11. Case Law on S.141 of The Land Revenue Act,1967

High Courts
2021 MLD 531 Sindh 2021 MLD 154 Peshawar 2020 CLC 963 Balochistan 2016 CLC 831 Peshawar 2013 MLD 708 Balochistan 2012 CLC 1353 Balochistan

12. Applicability of Section 12 (2) of the Limitation Act, 1908 to proceedings under Article 168 of the said Act.

Supreme Court	High Courts
PLD 2012 SC 400 PLD 2010 SC 582 2008 SCMR 358	PLD 2019 Islamabad 544 PLD 2004 Karachi 555

13. Case law on; Art. 163 - 181 of the Limitation Act, (1908)—Period of limitation for restoration of an application for setting aside ex-parte decree or order.

High Courts	International Jurisdiction
PLD 2019 723 Lahore 2006 CLD 1213 Lahore PLD 2004 73 Peshawar 2002 YLR 3108 Lahore	2017 YLR Note 410 SC (AJ&K)

14. Whether time, in a hardship case, can be extended to a defendant under O.XXXVII, R.2 of the C.P.C who fails to file an application for leave to defend within a period of ten days.

Supreme Court	High Courts
2006 SCMR 631 PLD 1995 SC 362	2018 CLC 1737 Lahore 2013 CLD 1796 Sindh 2007 MLD 1613 Lahore 2006 MLD 1936 Lahore 2003 YLR 2724 Lahore PLD 1984 127 Karachi 1988 CLC 1985 Karachi 2005 CLC 1690 Karachi 1997 MLD 1835 Karachi

15. Essential requirements for validity of a Gift by a pardanasheen lady.

Supreme Court
PLD 2022 SC 85 PLD 2018 SC 698 2018 SCMR 30 2018 SCMR 139 2016 SCMR 662 2009SCMR 623 2008 SC MR 1384

16. Mutation and registration of a gift deed is not sufficient for a valid gift rather the same must be proved independently.

Supreme Court	High Courts
PLD 2022 SC 85 2019 SCMR 1095 2005 SCMR 135	2023 YLR 180 Lahore 2023 CLC 1391 Quetta 2023 YLR 118 Lahore

	2018 MLD 739 Lahore 2010 CLC 870 Peshawar
--	--

17. Pardanasheen lady must have an independent advice of her nears and dears at the time of making a valid gift, particularly when gift is made by her in favor of one of her children.

Supreme Court	High Courts
2016 SCMR 862 2016 SCMR 1225 1998SCMR1354 2010 SCMR 1358 2004 SCMR 1370	2020 YLR N 32 Lahore 2018 MLD 739 Lahore PLD 1961 Dacca 140

18. Presumption under Article 129(g) of the Qanun e-Shahadat Order, 1984 in making of gift.

Supreme Court
2021 SCMR 1986 2020 SCMR 276 2019 SCMR 1095

19. Power of the Court to compare disputed signatures.

Supreme Court	High Courts
2022 SCMR 933 2012 SCMR 1258 2009 SCMR 264 2005 SCMR 152 2004 SCMR 361	2005 CLC 870 Lahore 2016 YLR 420 Peshawar 2008 MLD 208 Lahore

20. Principles as to presence of vendor at the time of sanction of mutation as per section 42-A (7) of Land Revenue Act, 1967.

Supreme Court	High Courts
2007 SCMR 729 2005 SCMR 911	2016 YLR 1270 Sindh 1992 MLD 833 Karachi

21. Dismissal of suit for non-production of evidence in terms of O.XVII, R. 3, C.P.C.--- Appellate Court accepted appeal, remanded case to Trial Court, with cost----its legal effect

High Courts	International Jurisdiction
2022 MLD 516 Balochistan 2016 MLD 1075GB Chief Court 2014 CLC 160 Sindh 2002 MLD 1569Karachi 1988 CLC 1694 Lahore	1998CLC333 SC(AJ&K)

22. Market value/compensation of the acquired land can only be determined through appointment of local commission under O.XXVI, Rule 9, C.P.C.

Supreme Court	High Courts
2023SCMR 102 PLD 2009 SC 16 2009SCMR 594 1998 SCMR 730	2016 CLC 216 Peshawar 2013 CLC 1060 Peshawar

23. Wrong date of hearing would constitute sufficient cause in terms of O.XXXVII, Rule 4 of CPC.

High Courts
2007 CLC 200 Lahore 2003 CLC 1754 Lahore PLD 1984 Karachi 127 PLD 1987 Karachi 86 2013 CLC 1121 Lahore 1991 CLC 1112 Karachi 1990 CLC 1536 Lahore 2018 CLC 1737 Lahore

24. Whether the benefit which had accrued to the landowners who had filed an appeal in the High Court, seeking further enhancement of the compensation vis-a-vis their acquired land, could also be extended to the similarly placed landowners who had, not filed any such appeal in the High Court.

Supreme Court	High Courts
PLD 2010 SC 878 1999 SCMR 2009	2017 CLC 937 Peshawar

1998 SCMR 2197 1997 SCMR 1692	
----------------------------------	--

25. Mode and manner of the execution of decree, passed under order XXXVII C.P.C,1908-explained.

Supreme Court	High Courts
PLD 2006 SC 226	2011 YLR 855 Peshawar 2015 MLD 343 Peshawar

26. Essential/requirements of a valid gift under Mohammadan Law.

Supreme Court
PLD 2022 SC 85 PLD 2018 SC 698 2009 SCMR 623 2008 SCMR 1384

27. Mutation is not a proof of title and a beneficiary thereunder must prove the original transaction.

Supreme Court	High Courts
2016 SCMR 1417 2008 SCMR 855 2007 SCMR 635 2005 SCMR 1859 PLD 2003 SC 688 1994 SCMR 1454	2016 YLR 1883 Peshawar 2015 CLC 549 Lahore

28. Mode and manner of recording statement of vendor through commission for attestation of mutation under S. 42 of the West Pakistan Land Revenue Act,1967.

Supreme Court	High Courts
1992 SCMR 1832	1995 MLD 1165 Peshawar 2015 YLR 1905 Peshawar 2015 MLD 191 Peshawar 1991 MLD 1870 Peshawar

29. Case Law relating to Article 79 of The Qanun-e-Shahadat, 1984.

Supreme Court
2022 SCMR 933 2021 SCMR 415 PLD 2021 SC 538 PLD 2011 SC 241 2015 SCMR 1044 2008SCMR 1639 PLD 2018 SC 698 2016 SCMR 986

30. If a local commission fails to conduct proceedings in accordance with the terms of its appointment, then the Court should appoint a fresh local commission.

Supreme Court	High Courts
2023 SCMR 102 PLD 2009 SC 16 2009 SCMR 594 1998 SCMR 730	2020 CLC 442 Peshawar 2016 CLC 216 Peshawar 2013 CLC 1060 Peshawar

31. Once an award has been made on the basis of ownership, then in a reference filed u/s.30 of the Land Acquisition Act,1894, the court cannot direct the same to be made on the basis of Hissa dari possession

High Courts	International Jurisdiction
2016 YLR 1489 Peshawar 2015 CLC 1392 Peshawar	AIR 1966 P H 334

32. Mode and manner of the execution of a decree, passed by a civil court in a suit for declaration and possession

High Courts	International Jurisdiction
2022 MLD 1356 Balochistan 2021 CLC 746 Peshawar 2012 MLD 1856 Balochistan PLD 2012 139 Peshawar PLD 2011 450 Lahore 2002 YLR 2553 Lahore	(1994) 2 Callt 184 HC

PLD 2011 57 Lahore 2007 CLC 1602 Lahore PL J 2003 21 Lahore	
---	--

33. Transfer by ostensible owner---Protection under S.41 of Transfer of Property Act, 1882---Principle

Supreme Court
PLD 2022 SC 699 2022 SCMR 2130 2021 SCMR 686 2010SCMR 1871 1991 SCMR 2513 1994 SCMR 2087 2003 SCMR 774

34. Plea of Res judicata framing of preliminary issue(s) & providing opportunity for producing pro & Contra evidence

High Courts
2016 YLR 1873 Peshawar 2016 C LC Note 76 Lahore 2014 YLR 1782 Peshawar 1995 MLD 1014 Lahore 1994 CLC 1337 Lahore 2011 CLC 208 Peshawar

35. Necessity for filing of leave to appear and defend the suit prior to application for setting aside an Ex-parte decree under O.XXXVII of C.P.C.-explained.

High Courts
2019 CLC 1632 Peshawar PLD 2017 356 Islamabad 2011 CLC 950 Lahore 2007 CLD 1633 Lahore 2004 YLR 416Karachi 1991 CLC 1243Karachi

36. Period of limitation for claiming past arrear for minor and wife.

Supreme Court	High Courts
PLD 2006 SC 457 PLD 1972 SC 302	2023 CLC 161 Lahore 2018 YLR 128 Peshawar 2018 YLR 645 Lahore PLD 2013 Lahore 464 2007 CLC 656 Lahore 2003 YLR 2445 Lahore 1993 CLC 2063 Lahore

37. Land Acquisition Act ---- Enhancement of compensation---Power of appellate court to grant such relief to non-appealing party

Supreme Court	International Jurisdiction
1997 SCMR 1692 PLD 2010 SC 878	PLD 2018 SC (AJ&K) 17 2022 MLD 1393GB Chief Court

38. Whether statement of an arbitrator is necessary before the court in support of award?

Supreme Court	High Courts
2021 SCMR 1137 2005 SCMR 1542	2022 CLC 1727 Islamabad 2013 CLD 1213 Sindh 1984 CLC 691 Lahore 2010 YLR 1448 Islamabad

39. Grounds for setting aside arbitration award, explained.

Supreme Court	High Courts
2023 SCMR 1103 2022 SCMR 1810 2018 SCMR 662	PLD 2019 Islamabad 255

40. Consolidation of suits/references, explained.

Supreme Court	High Courts	International Jurisdiction
PLD 2016 SC 409 2006 SCMR 1262	2017 MLD 323 Islamabad 1987 MLD 370 Lahore	2006 YLR 460High Court (AJ&K)

41. Recording statement of witness through commission after new amendments in CPC.

Supreme Court	High Courts
PLD 2020 SC 401 PLD 2022 SC 99	HIGH COURT OF SINDH Suit No. 1761 of 2008 1. CMA No. 5051/2010 2. CMA No. 1951/2011 Date of hearing 06.08.2012

42. Imposition of heavy cost on false and frivolous litigation.

Supreme Court	High Courts
PLD 2023 SC 298 2023 SCMR 1133 2023 SCMR 1103 2023 SCMR 61 PLD 2023 SC 265	PLD 2022 Lahore 328 2022 CLD 932 Islamabad

43. Limitation for specific performance of contract.

Supreme Court
2022 SCMR 1074 2022 SCMR 933 PLD 2021 SC 434 PLD 2018 SC 692 PLD 2012 SC 247

44. Mode and manner of execution of a decree for declaration granted by civil court in favor of co-sharer.

High Courts
2013 YLR 1487 Lahore PLD 2012 Peshawar 139 PLD 2011 Lahore 57 2010 CLC 789 Lahore 2008 CLC 43 Peshawar

- 45. The Court should not assign to a local commission, the function which it can perform itself.**

High Courts
2019 CLC 596 Lahore PLD 2011 Lahore 207 2003 CLC 1151 Peshawar 2003 CLC 122 Lahore

- 46. Limitation period for challenging a transaction or mutation by a minor after attaining majority.**

Supreme Court	High Courts
2010 SCMR 1042, 1999 SCMR 1328 1991 SCMR 1566 PLD 1976 SC 258	2016 CLC Note 20 Lahore 2015 MLD 258 Peshawar 2013 MLD 1106 Peshawar 2003 MLD 568 Lahore PLD 1992 Peshawar 98

- 47. Principles for execution of a general power of attorney.**

Supreme Court	High Courts
2022 SCMR 1398 PLD 2003 SC 31 PLD 2011 SC 241 PLD 2003 SC 159 2002 SCMR 1089	2021 YLR 578 Sindh PLD 2020 Islamabad 184 2019 CLC Note 4 Peshawar 2017 YLR Note 234 Lahore PLD 2022 Balochistan 51 2009 MLD 538 Karachi PLD 1991 Karachi 377

- 48. Sufficient cause/cogent reason must be disclosed in an application for getting an ex parte decree set aside though the same is filed within the prescribed period of limitation.**

Supreme Court	High Courts
PLD 2011 SC 676	PLD 2012 Sindh 78 2014 CLC 1737 Lahore 2010 YLR 269 Lahore 2007 CLC 124 Lahore 1988 MLD 1555 Karachi

49. Mode and manner of execution of Decree against Government.

High Courts
PLD 2011 Karachi 640 1998 CLC 1817 Lahore 1991 CLC 563 Lahore 2013 MLD 1016 Sindh

50. Jurisdiction of civil court or Revenue Court, when land changes its nature.

Supreme Court	High Courts	International Jurisdiction
PLD 2019 SC 297 1997 SCMR 1792	2023 CLC 380 Lahore 2000 CLC 1626 Lahore 2016 CLC 831 Peshawar 2023 YLR 1764 Lahore 1996 CLC 1692 Peshawar 2009 MLD 930 Lahore 2017 YLR 1217 Lahore 2019 YLR 2772 Peshawar PLD 1999 Lahore 31 2019 CLC 1343 Lahore PLD 1965 (W. P.) Lahore 429	Civil Revn. No. 334 of 1952 Rameshwar Nath Vs. Jageshwar Nath and Ors

51. Difference between “Land Owner” & “Owner of Land”.

High Courts	International Jurisdiction
2013 CLC 379 Peshawar PLD 1957 (W. P.) Lahore 447	AIR 1982 P H 255

52. Limitation---Condonation of delay---Scope---Each and every day's delay is to be satisfactorily explained.

Supreme Court	High Courts
PLD2022SC 716 PLD 2011 SC 174 2001 SCMR 1822	2023 PTD 393 Lahore 2022 PTD 1485 Lahore

- 53. In the prevailing society at the relevant time widow used to be having property of her deceased husband but as a limited owner.**

Supreme Court	High Courts
2018 SCMR 698 2012 SCMR 917 PLD 1971 SC 791	2012 CLC 298 Lahore 1991 MLD 2340 Lahore 1984 CLC 89 Lahore PLD 1964 (W. P.) Lahore 334

- 54. Trial court is under legal obligation to allow an application for further evidence in the interest of justice even after closing of evidence.**

Supreme Court	High Courts
PLD 1989 SC 112 1988 SCMR 1782	1999 CLC 1142 Lahore 1999 YLR 1655 Lahore 1996 MLD 1158 Lahore 2012 CLC 828 Lahore 2006 YLR 2589 Lahore 1991 CLC 1470 Lahore

- 55. Appreciation of evidence by High Court when the findings of two courts below are at variance.**

Supreme Court	High Courts
PLD 2007 SC 504 2005 SCMR 1518 2001 SCMR 338 1988 SCMR 401	2016 CLC 765 Sindh 2021 CLC 1132 Islamabad

- 56. Order. XXXVII, R.2 of the C.P.C..... Court has to pass decree forthwith where leave to defend is either not applied for or not granted.**

Supreme Court	High Courts
1999 SCMR 2832 1996 SCMR 1530 PLD 1995 SC 362	2021 MLD 264 Islamabad 2013 CLD 1796 Sindh 2021 MLD 1473 Lahore 2018 CLD 116 Sindh 2017 MLD 1304 Lahore 1997 MLD 1835 Karachi 2008 CLC 41 Karachi

57. Right of Legal heirs to challenge the validity of a mutation not challenged by their predecessor.

Supreme Court
PLD 2014 SC 167 2013 SCMR 299 PLD 2023 SC 362 2016 SCMR 1403

58.Principles/ guidelines for amendment in pleading at appellate stage.

Supreme Court	High Courts
PLD 2013 SC 239 PLD 2003 SC 379 1994 SCMR 2240 1993 SCMR 593 PLD 1985 SC 345	2023 MLD 1076 Lahore 2022 CLC 327 Lahore 2020 CLC 2001 Lahore 2016 MLD 533 Peshawar 2013 YLR 1548 Peshawar 2009 MLD 1082Karachi 2003 YLR 2670 Lahore

59. Applicability of Order II Rule 2, CPC on a suit filed simultaneously in connected matter.

Supreme Court
2022 SCMR 1054 2013 SCMR 238 2012 SCMR 930 2002 SCMR 300 1996 SCMR 1047 1990 SCMR 751 PLD 1985 SC 345

60. Additional evidence requested at appellate stage.... Guidelines set by superior courts.

Supreme Court
2023 SCMR 1155 2021 SCMR 1480 2016 SCMR 2067 2012 SCMR 1258 PLD 2011 SC 151 2009 SCMR 221

PLD 2008 SC 564
 2007 SC MR 1117
 2004 SCMR 1049
 PLD 1992 SC 822
 1992 SCMR 1778

61. If a complaint under the KP Consumer Protection Act 1997 has been filed beyond the prescribed period of Limitation, then whether the court has got the power to extend the time and Condon the delay if so occurred?

High Courts	International Jurisdiction
2018 CLD 1064 Lahore PLD 2013 Lahore 468	AIR 2020 SC 1267 (2020) 5 SCC 757 (2020) 5 SCR 429 (2022) 4 SCC 169 (2021) 9 SCR 993

62. Mode and manner of partition inside “lal Lakir”/ Abadi Deh

Supreme Court	High Courts	International Jurisdiction
PLD 2019 SC 297	2022 MLD 1825 Lahore 2002 YLR 4030 Lahore PLD 2016 Peshawar 8 1989 CLC 2148 Lahore	Gurjant Singh and Another Vs Baljeet Singh and Others On 27 Sep, 2022

63. Case law on Lagan----Bila Lagan Ba Tasawar Malkiyatetc

Supreme Court	High Courts
PLD 2004 SC 59 2010SCMR 984 PLD 2003 SC 650 PLD 2002 SC 280	2013 YLR 357 Peshawar

1995 SCMR 85 1993 SCMR 2330 1991 SCMR 829 PLD 1986 SC 113 1985 SCMR 497	
---	--

64. Effect of non-filing of documents with revision petition u/s 115 C.P.C

Supreme Court	High Courts
PLD 2010 SC1186	2021 CLC 103 Lahore 2020 CLC 917 Islamabad 2018 CLC 814 Lahore 2016 YLR 205 Peshawar 2014 MLD 555 Lahore 2013 MLD 1618 Lahore 2013 MLD 955 Lahore

65. Where a statute has provided a right of appeal against decision of a forum, the same cannot be bypassed to file constitutional petition

Supreme Court	High Courts
2007 SCMR 38 2001 SCMR 1493 1999 SCMR 1881 PLD 1996 SC 246	2002 YLR 3484 Lahore 2016 CLD 581 Islamabad 2003 CLC 837 Peshawar 2003 PTD 1563 Karachi 2003 PTD 1447 Karachi

66. Long standing entries in the Revenue Record---its evidentiary value and how it is to be rebutted?

Supreme Court
2020 SCMR 2046 PLD 2011 SC 657 PLD 2008 SC 571 2007 SCMR 236 PLD 2005 SC 343

PLD 2002 SC 622
 2001 SCMR 363
 1997 SCMR 1840
 1990 SCMR 725
 1989 SCMR 1563

67. Party approaching court for grant of relief would have to discharge his own burden and stand on his own legs to succeed and could not avail benefit of any weakness in case of opposite party

Supreme Court	International Jurisdiction
2010 SCMR 1630 2005 SCMR 577 PLD 1995 SC 351 1993 SCMR 356 1991 SCMR 703	PLD 1950 PC 113

68. Validity of placing official Revenue Record on file at any time and at any stage of proceedings even before High Court and Supreme Court.

Supreme Court	High Courts
PLD 2015 SC 247 2013 SCMR 507 1991 SCMR 2223 1988 SCMR 1653	2015 YLR 789 Lahore 2004 CLC 858 2000 CLC 1272

69. Standard of proof of a document and its contents

Supreme Court
2015 SCMR 1044 PLD 2015 SC 187 2013 SCMR 1113 PLD 2011 SC 241 2008 SCMR 1639 2005 SCMR 152 PLD 2003 SC 31 2002 SCMR 1089 PLD 1995 SC 381

- 70. Interpretation of the revenue record and the preference of various columns i.e. column of ownership, column of cultivation and column of lagan and other documents.**

Supreme Court
PLD 2004 SC 59 PLD 2002 SC 280 PLD 1990 SC629 PLD 1986 SC 91

- 71. Demarcation proceedings can only be carried out by Revenue Officer of the rank mentioned in Section 7 of the Land Revenue Act, 1976.**

Supreme Court	High Courts	International Jurisdiction
1990 SCMR 655	2020 CLC 1453 Peshawar 2016 YLR 35 Peshawar 2011 YLR 872 Peshawar 1995 MLD 308 Peshawar PLD 1992 Lahore 63	2014 MLD 856SC (AJ&K),

- 72. Fard Badar and its scope under the Land Record Manual**

High Courts
2018 YLR 1813 Lahore 2004 MLD 597 Lahore 2001 YLR 2387 Lahore PLD 1966 W. P. (Rev.) 88 PLD 1965 W. P. (Rev.) 41 PLD 1956 Lahore 245 2006 CLC 1719 Lahore

- 73. Requirements for attestation of mutation in case of transaction executed by Pardanasheen lady.**

Supreme Court	High Courts
----------------------	--------------------

2016 SCMR 862, 2001 SCMR 1591 2019 SCMR 567	2018 YLR Note 142, 2017 YLR 1020, 2010 MLD 978, PLD 2009 Lahore 41, 1999 CLC 576, 2019 YLR 1523, 2017 YLR 1249
---	--

74. Plaintiff has to prove his case on the strength of his own evidence.

Supreme Court	High Courts
2010 SCMR 1630 PLD 1995 SC 351	2020 CLC 142 2020 MLD 426 2020 CLC Note 50 2020 MLD 919 2020 YLR 1730 2019 CLC 1204 2018 CLC 1901 2018 YLR Note 130 2017 YLR Note 33 2017 YLR 1502 2016 CLC 322 2015 YLR 167 2014 CLC 548 2009 YLR 414 2007 YLR 1788 2007 YLR 1739 2007 MLD 1683 1992 MLD 2515 PLD 1991 Peshawar 101

75. Mere possession cannot be equated to ownership

Supreme Court	High Courts
2005 SCMR 471 2004 SCMR 1137	2020 MLD 1310, 2014 MLD 1016, 2001 MLD 686, 1988 MLD 1665

76. Mutation does not confer any title by itself rather a rebuttable presumption is attached to it and its genuineness is to be proved in accordance with law by its beneficiaries.

Supreme Court
2016 SCMR 1417, 2008 SCMR 855 2007SCMR 635 PLD 2007 SC 287 2005 SCMR 1859 PLD 2003 SC 688 2004 SCMR 1043 2004 SCMR 1530 2005 SCMR 1859 PLD 2005 SC 343 2004 SCMR 1137 PLD 1994 SC 245.

77. Court can mold a relief under the Provisions of O.VII, R.7 of the C.P.C in order to grant an effective or ancillary relief even if it had not been specifically prayed for.

Supreme Court
PLD 2021 SC 715 2020 SCMR 2147 PLD 2014 SC 1 2011 SCMR 80 2010SCMR984 2006 SCMR 688 PLD 2006 SC 66 2004 SCMR 1934 2002 SCMR 1985 2001 SCMR 279 PLD 1986 SC 35, 1985 SCMR 241 PLD 1985 SC 46, PLD 1978 SC 220

78. Scope of a suit filed for specific performance on the basis of an unregistered sale deed.

Supreme Court	High Courts
2021 SCMR 686, 1997 SCMR 837 1992 SCMR 1265 1985 SCMR 236. PLD 1984 SC 424 PLD 1984 SC 424	2021 CLC 1351, 2005 YLR 2464, 2019 YLR 505, 2011 YLR 888, 2021 YLR 1476, PLD 2015 Sindh 481 2009 YLR 1672 Karachi 2002 YLR 3815 Karachi 1986 CLC 1989 Karachi PLD 1963 (W. P.) Karachi 786 PLD 1961 (W. P.) Karachi 53 PLD 2015 Balochistan 143

79. Legality of the customary law before the application of Muslim Personal Law (Shariat Application) Act, 1935

Supreme Court	High Courts
2020 SCMR 346, 2008 S C M R 905, 1998 SCMR 996, PLD 1991 SC 582, PLD 1991 SC 93, 1988 SCMR 293, PLD 1984 SC 394,	2016 YLR 1858 2014 YLR 1441, 2012 CLC 1944, PLD 2011 Peshawar 148, PLD 2011 Peshawar 41, 2005 CLC 1383 Peshawar, 2001 MLD 1790 Peshawar, PLD 1987 Peshawar 100, PLD 1981 Peshawar 129, PLD 1961 (W P) Peshawar 9

80. Legal status of inheritance prior to Punjab Laws Act, 1872

Supreme Court	High Courts	International Jurisdiction
2003 SCMR 1535 PLD 1971 SC 334 PLD 1966 S C 472	2021 MLD 1146 Lahore, 2017 YLR Note 292, 2002 YLR 1637, 2002 CLC 2001, 2002 CLC 733, 1985 CLC 64 Lahore, P. L. D. 1.951 Lahore 386,	PLD 1949 PC 18.

	PLD 1956 Lahore 528,	
--	----------------------	--

81.Scope for appointment of local commissioner more than once.

High Courts
PLD 2021 Balochistan 206 2015 CLC 769 2003 CLC 132 PLD 1989 Karachi 75

82. Filing of a suit by or against the unregistered firm under section 69 of the Partnership Act, 1932

Supreme Court	High Courts
PLD 2016 SC 214 PLD 1966 SC 328 PLD 1959 SC 319	2018 CLC 82 Peshawar PLD 2017 Islamabad 115 2015 CLC 1074 Sindh 2015 YLR 1507 Sindh 2015 YLR 2306 Sindh

83. Scope for filing of second revision before SMBR under the Land Revenue Act, 1967.

Supreme Court	High Courts
2000 SCMR 626 1985 SCMR 770 1976 SCMR 26	2002 MLD 1224 2018 MLD 476 PLD 1986 Peshawar 67 1990 MLD 2281 PLD 1986 Lahore 237 PLD 1968 Lahore 11 PLD 2021 Peshawar 85 2019 YLR 1604 Lahore 2009 MLD 945 Lahore 2008 CLC 590 Lahore 2007 MLD 570 Peshawar 2007 MLD 551 Peshawar

84. Application of principle of preponderance of evidence in civil and family cases.

Supreme Court	High Courts
2021 SCMR 1986 1999 SCMR 2605 PLD 1996 SC 267	2020 CLC 900 Lahore

85. The court while entertaining an application for rejection of plaint under Order VII, R. 11 of CPC, has to take into account the plaint and not the stance, taken by the defendant in the written statement.

Supreme Court	High Courts
1994 SCMR 826	2018 CLC Note 70 Peshawar 2015 CLC 536 Lahore 2014 YLR 53 Sindh 2012 CLD 758 Peshawar PLD 2010 Lahore 487

86. Court is required to decide miscellaneous application prior to disposal of the lis or alongwith the same.

Supreme Court	High Courts
1991 SCMR 1232 PLD 1978 SC 220	2015 MLD 1384 Peshawar 2006 CLD 882 Lahore 1993 CLC 334 Karachi

87. Legal effect of non-examination of postman in pre-emption cases.

Supreme Court
2015 SCMR 222 2013 SCMR 866 2007 SCMR 1105

88. Mutation is not a proof of title and a beneficiary thereunder must prove the original transaction

Supreme Court	High Courts
2016 SCMR 1417 2008 SCMR 855 2007 SCMR 635	2016 YLR 1883 Peshawar 2015 CLC 549 Lahore 2012 MLD 841 Balochistan

2005 SCMR 1859 PLD 2003 SC 688 1994 SCMR 1454 1992 SCMR 1832	
---	--

89. Status of a registered deed and its evidentiary value-explained.

Supreme Court	High Courts
2011 SCMR 794 PLD 2008 SC 73 PLD 2003 SC 410 2002 SCMR 1821 1995 SCMR 1407 1993 SCMR 462	PLD 2020 Islamabad 129 2018 CLD 911 Lahore 2006 CLC 1770 Lahore 2004 YLR 709 Lahore PLD 2004 Karachi 269 2002 YLR 3546 Lahore

90. Applicability of the provisions of Sec. 11 C.P.C. to a decree passed on the basis of compromise.

Supreme Court	High Courts	International Jurisdiction
2009 S C M R 1268	2020 YLR 232 Lahore 2015 MLD 1408 Peshawar 2015 YLR 89 Peshawar 2017 CLC Note 190 Lahore 1991 CLC 1526 Karachi	AIR 1954 SC 82 (1953) IIMLJ 782 AIR 1954 SC 352 1955 SCR 99 AIR 1957 Pat 365 (1911) 21 MLJ 709

91. Applicability of the provisions of Sec. 11 CPC & Order II R- 2 to a case decided on the basis of compromise.

High Courts
2018 CLC 1249 Lahore, 2018 CLC 912 Sindh, 2011 CLD 523 Lahore, PLD 2006 Lahore 311, 1989 MLD 4533 Karachi,

92. Pre-requisites of suit for damages.

Supreme Court	High Courts
PLD 2016 SC 478, PLD 1996 SC 737 PLD 1990 SC 28	2022 MLD 1 Lahore, 2017 MLD 666 Sindh, 2016 MLD 963 Lahore, PLD 2011 Karachi 578, 2015 MLD 601 Peshawar, 1995 CLC 1134 Karachi

93. Issuance of show cause notice to the judgement debtor prior to his arrest and detention is mandatory in terms of section 51 CPC.

High Courts
2018 CLD 830 Lahore, 2016 CLC Note 82, PLD 2013 Lahore 129, 2004 YLR 1540 Lahore, 2003 CLD 686 Lahore, 2000 CLC 1328 Karachi, PLD 2000 Lahore 290, 1987 CLC 1419 Karachi

94. A person can be allowed by a Court to transfer the disputed property during the pendency of a suit

Supreme Court
PLD 2015 SC 187 2014 SCMR 33 2013 SCMR 551 PLD 2011 SC 905 2012 SCMR 983 PLD 2003 SC 494

95. Accruing a cause of action for filing a suit of damages, explained.

High Courts
PLD 2008 Karachi 532 PLD 1970 Karachi 770 PLD 2011 Karachi 550

96. Entitlement of the Land owner to receive fair and just compensation for the acquired land under the Land Acquisition Act 1894.

Supreme Court	High Courts	International Jurisdiction
2020 SCMR 265 PLD 2010 SC 719 2014 SCMR 75 2018 SCMR 779 2015 SCMR 28 PLD 2004 SC 512 PLD 2002 SC 25	PLD 1990 Lahore 472	PLD 2010 SC (AJ&K) 37 (1997)6 SCC 41 1966 Ind Cas 846

97. The term “Consideration” is not restricted to monetary benefits.

High Courts
2021 CLC 1668 Lahore 2012 CLD 396 Sindh PLD 1998 Karachi 274 1994 CLC 138 Karachi

98. Power of the Revisional Court to re-appraise evidence in case of concurrent findings by the two courts.

Supreme Court	High Courts
2014 SCMR 1469, PLD 2004 SC 633, PLD 1994 SC 291, 1987 SCMR 1005 PLD 1986 SC 88	2021 CLC 1668 1989 MLD 4999 Lahore 1987 MLD 2538 1986 CLC 2365 Lahore

99. Cases in which a Revisional Court may re-appraise evidence, explained.

Supreme Court	High Courts
PLD 2001 SC 67	PLD 2005 Peshawar 19 2002 YLR 1600

100. High Court cannot reverse the findings of fact recorded by the Trial and Appellate Court while exercising the writ jurisdiction U/A 199 of the Constitution.

Supreme Court	High Courts
2020 SCMR 2155 2019 SCMR 919 PLD 2009 SC 194 PLD 2007 SC 45 PLD 2006 SC 214	2013 YLR 1405 Sindh 2010 YLR 2862

101. An order passed by the trial court under Order VII, R -11 CPC for Rejection of Plaintiff can be challenged through an Appeal or Revision.

Supreme Court	High Courts	International Jurisdiction
2009 SCMR 1079, 2008 SCMR 913, 2007 SCMR 945, 2001 SCMR 286, 1999 SCMR 2396,	2017 CLC 1406 Sindh, 2015 YLR 2559 Peshawar, 2014 YLR 2130 Peshawar PLD 2012 Peshawar 75, 2010 YLR 2469 Peshawar, 2003 MLD 210 Lahore	2015 CLC 253HC (AJ&K),

102. Constitutional petition is not maintainable against remand order.

Supreme Court	High Courts
1991 SCMR 1212 1986 SCMR 251	2019 MLD 1 Lahore 2009 CLC 860 2007 CLC 768 PLD 1973 Lahore 495 2004 MLD 2024 PLD 1986 Quetta 130 2017 YLR Note 432 Sindh

103. Civil Court has no jurisdiction to entertain the dispute regarding affairs of the Society which are conducted under The Co-operative Societies Act, 1925

Supreme Court	High Courts	International Jurisdiction
2015 SCMR 1799 1974 SCMR 226	2021 CLC 2011 Sindh, 2021 CLC 921 Lahore, 2021 CLC 1286 Lahore, 2016 CLC 1751 Lahore, 2014 YLR 1539 Sindh, 2009 CLC 477 Karachi, PLD 2009 Karachi 38, 2007 CLC 82 Lahore, PLD 2002 Karachi 414, 2002 MLD 209 Karachi, 1999 MLD 1668, PLD 1995 Karachi 399, 1992 CLC 547 Lahore	2018 CLC 313 High Court (JA&K)

104. Yardstick for imposition of cost on account of false & frivolous case/litigation

Supreme Court	High Courts
2001 SCMR 1680, 1993 SCMR 639,	2018 CLC 1858 Islamabad 2021 MLD 642, 2003 CLC 1428 Peshawar 2009 CLC 1039 2017 YLR 372 PLD 2021 Lahore 33 2002 CLC 59 2002 MLD 1569

105. Mode and manner for claiming charges by one party (e.g contractor) from another party due to delay caused by him/her which have escalated the prices of materials for construction etc.

High Courts
2021 YLR 736, 2015 CLC 649, 2009 MLD 1383, 2001 MLD 18,

106. Partial partition is not permissible under the law.

Supreme Court	High Courts
1993 SCMR 1463,	2020 YLR 2206 Peshawar, PLD 2020 Peshawar 101 PLD 2016 Peshawar 8, 2016 YLR 1489, 2006 YLR 2289, 2000 CLC 519, 1999 YLR 2190,

107. Jurisdiction of a Civil Court cannot be ousted where the order passed or action taken by the Authority/ Tribunal, is illegal, mala fide or contrary to the principle of Natural Justice.

Supreme Court	High Courts	International Jurisdiction
2009 SCMR1058 1974 SCMR 356 PLD 1997 SC 3 PLD 1965 SC 671, PLD 1965 SC 698	2007 MLD 884 Karachi 1997 MLD 1309 Karachi	2014 YLR 1054 High Court (AJ&K)

108. Essential/requirements of a valid gift.

Supreme Court
PLD 2022 SC 85, PLD 2018 SC 698 2009 SCMR 623, 2008 SCMR 1384

109. Instrument of a gift is compulsorily registerable under section 17 of the Registration Act, 1908 and 123 and 129 of Transfer of Property Act, 1882.

Supreme Court
PLD 2022 SC 85 2021 SCMR 743 2009 SCMR 623, 2010 SCMR 342 PLD 2008 SC 73 1998 SCMR 1274

110. Mode and manner of recording evidence or proceedings before the Bar Council Election Tribunal-explained.

High Courts
2000 MLD 1264 2011 CLC 1641 2019 CLC 340 1999 YLR 2315 PLD 1997 Peshawar 80 PLD 2016 Sindh 318 PLD 2005 Quetta 121 2005 MLD 340 2009 MLD 207 1986 CLC 2447

111. Not only hearing but right of due hearing is the requirement of law-the concept explained.

Supreme Court	High Courts
PLD 2022 SC 119, PLD 2019 SC 745 2016 SCMR 943, PLD 2012 SC 553	2015 PTD 790, PLD 2010 Lahore 332, 1994 MLD 2195, 1984 CLC 318 2015 PTD 790, PLD 2010 Lahore 332, 1994 MLD 2195, 1984 CLC 318,

112. Maintainability of a suit for partition of the joint family property by a usufructuary mortgagee.

High Courts
2015 MLD 759 PLD 1961 Dacca 831

113. Determination of Market Value & Potential Value of Land, explained.

Supreme Court	High Courts
2020 SCMR 265, 2018 SCMR 779, 2015 SCMR 28, 2014 SCMR 75, 2013 SCMR 1644 PLD 2010 SC 719 2009 SCMR 771, 2009 SCMR 105, PLD 2004 SC 512	1990 MLD 1232

114. Case Law on: Article. 106 of the Limitation Act, 1908.

Supreme Court	High Courts	International Jurisdiction
PLD 2016 SC 214, 1992 SCMR 1239, PLD 1966 SC 328,	2018 CLC 82Peshawar PLD 2017 Sindh 488, 2015 CLD 942Sindh 2015 YLR 1507Sindh PLD 2012 Lahore 18, 1986 CLC 242 Lahore PLD 1982 Karachi 327 PLD 1976 Quetta 9,	1998 PTD 1628224 I T R 244

115. Agreement is document of title or not.

Supreme Court	High Courts
PLD 2009 SC 546, 2005 SCMR 969, 2005 SCMR 1061, 2002 SCMR 1089,	2019 CLC 1275 Islamabad, 2022 YLR 93 Lahore

116. The expression “site of a town or village and is not assessed to Land Revenue” u/s 3 of Land Revenue Act, 1967. ----Jurisdiction of Civil Court or Revenue Authority

High Courts	International Jurisdiction
2019 CLC 1343 Lahore 2017 YLR 1841 Peshawar PLD 2016 Peshawar 8, 2011 YLR 1724 Lahore 2009 MLD 930 Lahore 2005 MLD 814 Lahore PLD 1965 (W. P.) Lahore 429	1966 AIR 991, 1963 SCR (1) 428

117. Case law regarding Order XXIII, Rule 3 of CPC.

Supreme Court	High Courts
1993 SCMR 374	2017 MLD 1272 2006 CLC 1911 2005 MLD 574 2004 YLR 1775 1993 MLD 1474 1990 MLD 379 1990 CLC 1614

118. Maintainability of suit for specific performance of agreement to sell where property is described by metes and bounds without identification of khasra No of the property.

Supreme Court	High Courts
2020 SCMR 406, 2019 SCMR 524, 2015 SCMR 298,	2018 CLC 1384

119. Determination of fair compensation for acquired land under Section 23 of the Land Acquisition Act, 1894-principles elucidated.

Supreme Court

2021 SCMR 201,
2020 SCMR 265,
2018 SCMR 779,
2015 SCMR 28
2014 SCMR 75.

120. Mode and manner of conduct of Civil Reference before a Political Agent wherein findings have been passed by council of elders (Jirga) in equal number.

High Courts
PLD 2022 Peshawar 22, PLD 2015 Peshawar 187, 2012 CLC 1980 Peshawar, PLD 1990 Peshawar 51, PLD 2006 Peshawar 180

121. Latest Case Law on Section 28 read with Section 20, Articles 147 & 148 of the Limitation Act,1908.”

Supreme Court	High Courts
2015 SCMR 301, 2009 SCMR 191, 2007 SCMR 480 2007 SCMR 597, 2004 SCMR 1836, PLD 2003 SC 425, 2003 SCMR 589	PLD 2019 Peshawar 171, 2018 CLC Note 94, PLD 2013 Peshawar 38, 2013 YLR 2738 Peshawar, PLD 2009 Peshawar 83, PLD 2002 Peshawar 92.

122. Decision of a case on the basis of documentary evidence where plaintiff's right to produce oral evidence is struck off under Order XVII, Rule 3, C.P.C.

Supreme Court	High Courts
1982 SCMR 622 2022 SCMR 1532, 2022 SCMR 1428, PLD 2008 SC 571, PLD 1998 SC 1509.	2010 CLC 77 Lahore, 2010 MLD 1261 Peshawar, 2005 CLD 1541 Peshawar, 1999 CLC 1297 Lahore,

123. Maintainability of suit for challenging correction of entry in revenue record filed by a person not in possession of the property.

Supreme Court
2022 SCMR 189, 2017 SCMR 1476, 1992 SCMR 2334.

124. Effect of challenging entries in Revenue Record at a belated stage without possession under Section 53 of the Land Revenue Act, 1967.

Supreme Court	High Courts
2022 SCMR 877, PLD 2011 SC 657, 2011 SCMR 222, 2007 SCMR 1446,	2016 YLR Note 77 Peshawar, 2022 MLD 1547 Balochistan, PLD 1997 Peshawar 1, 1986 CLC 2261 Lahore

125. Time required for payment of mortgage amount to the mortgagee after passing of a decree U/O XXXIV, Rule 7 of the CPC for redemption of mortgage.

High Courts
2016 MLD 1590, 2016 MLD 1319, 2014 YLR 336, 2013 MLD 514, 2002 MLD 612.

126. Case law on Section 53-A of the Transfer of Property Act, 1882.

Supreme Court	High Courts
2022 SCMR 778, 2017 SCMR 316, 2017 SCMR 608,	PLD 2022 Lahore 313.

127. Presumption attached to Thirty years old document produced from proper custody U/A 100 of the Qanun-e- Shahadat Order

Supreme Court	High Courts
2016 SCMR 862,	2018 YLR 2429, PLD 2013 Peshawar 5, 2007 CLC 1306, 1999 CLC 106,

128. Scope for partial rejection of plaint.

Supreme Court	High Courts	International Jurisdiction
2022 SCMR 1598	2019 CLC 1333 Lahore 2017 YLR 1579Sindh 2014 YLR 1222 Lahore PLD 2009 Karachi 38 2009 MLD 1378Karachi 2007 YLR 1034Karachi 2005 CLC 848 Lahore 1990 CLC 1132Karachi	1982 AIR 1559, 1983 SCR (1) 702 129 (2006) DLT 381

129. Wajib-ul-Arz & its effect on partition of land.

Supreme Court	High Courts
2018 SCMR 2051 2007 SCMR 1850 2003 SCMR 1857 PLD 2002 SC 622 PLD 1975 SC 325	2022 YLR 872 Lahore 2022 MLD 563 Balochistan PLD 2009 Lahore 347 PLD 1954 Lahore 356

130. Cause of action --- Connotation, meaning and scope, and its disclosure

Supreme Court	High Courts
PLD 2008 SC 371 PLD 1959 SC (Pak.) 356	2020 CLC 1648 Peshawar 2019 CLC 994Sindh 2018 MLD 82Sindh 2015 CLC 536 Lahore 2013 CLD 1390 Lahore

	2013 CLD 2005 Lahore 2000 CLC 63 Lahore PLD 1999 Lahore 340
--	---

131. Documents and its contents are two different concepts. The parties are required to prove the documents & its contents independently.

Supreme Court	High Courts
2022 SCMR 842 2015 SCMR 1044 2013 SCMR 1113 PLD 2011 SC 241 2007 SCMR 1808 2005 SCMR 152 2004 SCMR 1723 PLD 2002 SC 84 1994 SCMR 559 1989 SCMR 1026	PLD 2022 Sindh 222 2021 CLC 1537 Sindh 2019 YLR 255 Islamabad 2019 YLR 882 Lahore 2019 YLR 1310 HC (AJ&K)

132. Prospectivity or retrospectivity of procedural law.

Supreme Court	High Courts
2018 SCMR 802, 2011 SCMR 1254, 2001 SCMR 103, PLD 2001 SC 482, 1996 SCMR 237, 1992 SCMR 1617, PLD 1988 SC 391, PLD 1969 SC 187, PLD 1965 SC 681,	2021 CLC 2042 Peshawar

133. Standard of proof for allegation of fraud.

Supreme Court	High Courts
2010 SCMR 1351, 2009 SCMR 70, 2008 SCMR 1095, 2003 SCMR 1050, 1988 SCMR 1080,	2020 YLR 408 Sindh,

134. Protection under section 53-A of the Transfer of Property Act,1882 is available where possession is delivered in pursuance of an unregistered deed

Supreme Court
2017 SCMR 608, 2005 SCMR 1079, 1997 SCMR 837, 1993 SCMR 428, 1985 SCMR 1617,

135. One of the co-landlords or co owners can seek eviction of tenant without impleading other co-owners or associating them in the proceedings.

Supreme Court	High Courts
2002 SCMR 429 PLD 2000 SC 787	2021 CLC 952 Lahore 2019 CLC Note 44 Islamabad 2018 MLD 298 Sindh 2015 MLD 1577 Sindh PLD 2015 Sindh 464 2015 YLR 1179 Lahore

136. Oral agreement its status and proof.

Supreme Court	High Courts
2021 SCMR 763 2021 SCMR 642 2021 SCMR 605 2017 SCMR 98 2006 SCMR 721 PLD 2003 SC 31 PLD 1971 SC 784	2021 CLC 1132 Islamabad 2005 YLR 245 Lahore 2003 MLD 131 Lahore 1997CLC369 Karachi 1996 CLC 1086 Karachi 1996 CLC 1758 Karachi

137. Where certainty regarding terms of agreement to sell is not forthcoming specific performance of such contract cannot be ordered.

Supreme Court	High Courts
1991 SCMR 972	2017 YLR Note 290 Lahore 2016 CLC 780 Lahore

	2013 YLR 2345 Lahore 2009 MLD 704 Karachi 1999 CLC 1685 Peshawar 1986 CLC 879 Karachi
--	--

138. Whether a family suit and a civil suit can be decided by a consolidated Judgment by a civil court?

High Courts	International Jurisdiction
PLD 2011 Lahore 593 1996 MLD 265 Lahore PLD 1993 Lahore 97 1981 CLC 443 Lahore	MultivahujiVs.Kalindivahuji and Ors (High Court Of Gujarat)

139. Power of Superior Courts to impose Cost.

Supreme Court	High Courts
1997 SCMR 1020, 2001 SCMR 8, 2007 SCMR 966, PLD 2008 SC 77, PLD 2009 SC 397, 2011 SCMR 27,	2011 CLC 1160, 2021 MLD 833, 2021 MLD 1368, PLD 1999 Lahore 409, PLD 2015 Islamabad 141, PLD 2020 Islamabad 319, PLD 2021 Islamabad 105,

140. Date, Time, Place in Preemption case -explained.

Supreme Court	High Courts
PLD 2020 SC 233 2010 SCMR 1796 2011 SCMR 1545 2009 SCMR 673 PLD 2008 SC 559 PLD 2007 SC 302 PLD 2005 SC 977 PLD 2003 SC 315 PLD 1998 SC 121 PLD 1997 SC 883 1995 SCMR 299	2018 YLR 1428 Peshawar 2016 YLR 811 Peshawar 2016 CLC Note 100 Peshawar 2013 CLC 1161 Peshawar 1998 CLC 1829 Peshawar

141. Period of limitation for restoration of a suit dismissed in default is provided under Art 163 of the Limitation Act 1908 as 30 days.

Supreme Court	High Courts	International Jurisdiction
1995 SCMR 218	PLD 1997 Peshawar 55 1989 MLD 4535 Lahore 1999 YLR 2464 Lahore 2014 YLR 1388 Peshawar	AIR 1936 Lahore 280

142. Procedure for determination of the potential value of Land in determining compensation for the land owners in land acquisition cases

Supreme Court
2020 SCMR 265 2018 SCMR 779 2014 SCMR75, 2016 SCMR 1141 PLD 2004 SC 512

PLD 1986 SC 158

1985 SCMR 767

143. Effect of non-compliance of procedure laid down in Order I, Rule 8 of C.P.C.

Supreme Court	High Courts
2007 SCMR 741	2019 CLC 1992 Peshawar
PLD 2004 SC 633	2017 YLR 107 Peshawar
PLD 1982 SC 120	2010 CLC 658 Peshawar

144. Scope for auction of evacuee property.

Supreme Court	High Courts
1989 SCMR 1605	1999 CLC 470 Karachi
1989 SCMR 1636	
1990 SCMR 20	
1990 SCMR 143	
1993 SCMR 515	
PLD 1991 SC 586	

145. Evidentiary value of evidence led beyond pleadings.

Supreme Court	High Courts
1996 SCMR 336	2020 CLC 148 Sindh
2006 SCMR 562	2021 CLC 42 Lahore
2007 SCMR 1682	PLD 2019 Sindh 559
2014 SCMR 914	PLD 2020 Islamabad 184
PLD 2016 SC 730	

146. Scope for contempt proceedings for execution of a decree.

Supreme Court	High Courts
PLD 2021 SC 671	2019 MLD 238 Peshawar 2021 CLC 689 Peshawar

147. Bar of limitation in cases of Inheritance.

Supreme Court
2020 SCMR 668 2020 SCMR 352 2019 SCMR 1930 2017 SCMR 1476 2015 SCMR 869 2014 SCMR 801 PLD 2014 SC 167 PLD 2011 SC 657 2010 SCMR 18 2009 SCMR 693 2007 SCMR 729 2007 SCMR 635 PLD 2006 SC 322 2005 SCMR 1859 2005 SCMR 1534 2005 SCMR 1447 2004 SCMR 704 2004 SCMR 517 1998 SCMR 2764 PLD 1996 SC 833 1996 SCMR1881 1992 SCMR 935 1991 SCMR 1835 1991 SCMR 1369 PLD 1990 SC 1

148. Scope of section 175 of the West Pakistan Land Revenue Act, 1967.

Supreme Court	High Courts
1992 SCMR 138	2022 YLR 872 Lahore 2019 CLC 1405 Lahore 2011 PCr.LJ 315 Lahore

	2006 MLD 1698 Lahore 2004 YLR 554 Lahore 1990 CLC 915 Lahore 1989 CLC 705 Peshawar
--	---

149. Standard for reliance upon commission report by referee court for determination of market value of the acquired land or compensation.

Supreme Court
PLD 2010 SC 719 2009 SCMR 771 2000 SCMR 870 1993 SCMR 1700 1997 SCMR 1692

150. No person can sell a better title than he himself possess.

Supreme Court	High Courts	International Jurisdiction
2010 SCMR 18	2019 CLC 335 Peshawar 2019 YLR 1080 Sindh 2016 MLD 605 Peshawar 2016 CLC Note 55 Sindh 2015 YLR 2259 Lahore 2002 MLD 589 Lahore	AIR 1974 All 234

151. Execution of a decree which becomes nullity and is void.

Supreme Court	High Courts
2014 SCMR 322 PLD 2009 SC 760	2005 CLD 1003 Lahore

2006 SCMR 1157	
PLD 2001 SC 131	
1971 SCMR 594	
PLD 1961 SC 192	
PLD 1965 SC 505	

152. An interference cannot be made by a Revisional Court in the Remand Order.

Supreme Court	High Courts
2010 SCMR 157	2022 CLC 547 Lahore 2015 CLC 1428 Lahore 2011 YLR 2202 Peshawar 2010 YLR 674 Lahore 1991 CLC 706 Lahore 2003 YLR 365 Lahore

153. Application of principle of locus poenitentiae in case of execution of contracts for procurements of goods or issuance of work order by government departments.

Supreme Court	High Courts
2013SCMR 238	2012 CLC 743 Peshawar.

154. Role of Umpire in arbitration proceedings-explained.

High Courts
1996 CLC 503 2001 MLD 925 2012 CLD 935 PLD 1970 Lahore 840 PLD 1971 Lahore 693 PLD 2006 Karachi 216

155. Courts to act as guardians of marginalized segments at the time of decision of objection petition to nullify a lawful decree.

High Courts
2019 MLD 415 Lahore 2011 PLC (C.S.) 778 Islamabad 2013 YLR 765Sindh 2004 CLD 101 Lahore 2002 YLR 3273 Lahore

156. Directory and mandatory nature of a provision, explained.

Supreme Court	High Courts
2004 PTD 2187 SC 1984 SCMR 493 2015 SCMR 1494 1991 SCMR 599	2001 CLC 848 Karachi PLD 2000 Lahore 108 PLD 1992 Lahore 140 1980 CLC1289 Lahore 2001 CLC 848 Karachi 2018 PLC 20 Lahore 2017 YLR Note 414 Lahore PLD 2018 Peshawar 179

157. Doctrine of Regulatory capture, explained.

Supreme Court	High Courts
2021 SCMR 201 2015 SCMR 1739 2013 SCMR 1159	PLD 2019 Islamabad 1 PLD 2015 Lahore 522 PLD 2013 Lahore 343

158. Changed circumstances/ subsequent events can be considered by the court to avoid the multiplicity of proceedings.

Supreme Court	High Courts	International Jurisdiction
2018 SCMR 581 PLD 1978 SC 220	PLD 1998 Lahore 177 1994 CLC 2417 Karachi 2020 CLC 68 Lahore	2014 CLC 1652 High Court (AJ&K)

159. Rights of Pendente lite purchaser.

Supreme Court	High Courts
PLD 2011 SC 905	2020 YLR 461 Lahore PLD 2019 Lahore 148

160. Determination of fair market value in the presence of a person, well conversant with the classification of land and its potentialities and factors to be considered at the time of fixation of market value.

Supreme Court
2021 SCMR 201 2020 SCMR 265. 2018 SCMR 779. 2016 SCMR 1141 2015 SCMR 28 2014 SCMR 75. 2013 SCMR 1644. 2013 SCMR 1124. 2009 SCMR 771. PLD 2004 SC 512 PLD 2004 SC 897 PLD 2003 480 SC PLD 2002 SC 84 PLD 2002 SC 25 1997 SCMR 1692 1996 SCMR 384 1993 SCMR 1700

161. Attested copies attached with appeal were not in the name of the appellant---its effect.

Supreme Court	High Courts	International Jurisdiction
1998 SCMR 1938.	PLD 1976 Peshawar 50.	2017 CLC N 71SC AJK. 2005 CLC 1025 AJK. PLD 2004 AJK 40.

162. Ex parte decree ----evidence to be discussed threadbare.

Supreme Court	High Courts
PLD 2005 SC 337 1999 SCMR 900 PLD 1990 SC 713	2013 MLD 1170 Sindh PLD 1957 (W.P) Karachi.832

163. Shifting of burden of proof upon the plaintiff----- non framing of issue-----its effect.

Supreme Court	High Courts
PLD 2015 SC 212 2012 SCMR 212 2015 SCMR 1708 1993 SCMR 2018 2016 SCMR 192 2009 SCMR 1256 2006 SCMR 586 2004 SCMR 1524	2019 CLC 1204Peshawar.

164.Power of a court to mould the relief.

Supreme Court
2011SCMR 80 2006 SCMR 688 2004 SCMR 1934 1998SCMR 1618 1990 SCMR 306 PLD 1978 SC 220

165. Maintainability of a case for declaration without consequential relief.

Supreme Court
2003 SCMR 318 1998 SCMR 2330 PLD 1971 SC 762 2012 SCMR 930 2004 SCMR 1036 2000 SCMR 1058 1991 SCMR 1483

166. Status of evacuee property being trust property.

Supreme Court	High Courts
2016 SCMR 679 2013 SCMR 1493 PLD 2011 SC 126 2009 SCMR 1223 2009 SCMR 1058 2009 SCMR 210 2007 SCMR 262 PLD 2003 505 1999 SCMR 1007 1991 SCMR 1483 1985 SCMR 89 1983 SCMR 1240	1985 CLC 1411 Karachi.

167. Limitation for a case for Declaration with consequential relief.

Supreme Court	High Courts
2005 SCMR 1933 2002 SCMR 1353 1995 SCMR 284	2009 MLD 1279 Sindh 2006 CLC 876 Lahore. 2005 YLR 2114 Lahore. 2005 MLD 376 Lahore. 2003 YLR 1953 Lahore. 2002 PLC(CS)1219 Sind

168. High Court is not supposed to appreciate the evidence as a court of first instance.

Supreme Court	High Courts
2010 SCMR 1475 2010 SCMR 1358	2014 YLR 1469 Peshawar

2010 SCMR 817 2007 SCMR 661 PLD 2007 SC 467 PLD 2002 SC 607 1971 SCMR 31 PLD 1967 SC 68 PLD 1964 SC 143 1986 SCMR 190 1985 SCMR 860	
---	--

169. Explanation of the terms “public purpose” “public service” “public interest.

Supreme Court	High Courts	International Jurisdiction
PLD 1983 SC 457 PLD 2009 SC 217 PLD 1960 SC 60 2015 SCMR 1428	1989 PTD (Trib.) 847 PTCL 2000 CL 696 PLD 2004 Lahore 47 PLD 1965 Dacca 355 2012 CLC 101 Sindh 2014 YLR 2400 2017 YLRN 7 2012 CLC 101 Karachi. 2007 YLR 568 Karachi.	AIR 1962 SC 1162 PLD1982SC(AJK)17

170.Maintainability of fresh suit where the prior suit is dismissed for non-compliance of section 273 of Cantonments Act, 1924.

Supreme Court	High Courts
2004 SCMR 113 PLD1976 SC785 2015 SCMR1799	PLD 2004 40 Peshawar. 2016 CLC 1322 Peshawar. 2014 MLD 272 Peshawar. 1999 CLC 1587 Lahore. 1995 MLD 292 Lahore. 1995 MLD 883 Lahore. 2011 CLC 949 Lahore. 2008 MLD 1377 Karachi. PLD 2002 502 Karachi. 2001 MLD 1209 Karachi. 1988 CLC 1182 Karachi.

171. Review or appeal being substantive right cannot be invoked unless specifically provided under any law or statute.

Supreme Court	High Courts
PLD 2012 SC 774 2011 SCMR 749 PLD 2007 SC 121 2001 SCMR 159 PLD 1981 SC 94 PLD 1970 SC 1	PLD 2000 Lahore 162 PLD 1973 Lahore 95 2015 PTD (Trib.) 687 PLD 2009 Karachi 397 2000 PCr.LJ 1516 Karachi 1986 MLD 978Karachi 1984 CLC 47Karachi

172. Onus to prove a gift rest upon the beneficiary.

Supreme Court
2009 SCMR 598 2009 SCMR 70 2005 SCMR 135 2002 SCMR 1938 PLD 2018 SC 698

173. Delay of each day to be explained in respect of limitation.

Supreme Court	High Courts
2016 SCMR 1821 2013 SCMR 1419 PLD 2011 SC 657 2010 SCMR 1899 2007 SCMR 1560 2006 SCMR 778 2006 SCMR 631 2005 SCMR 1662 PLD 2003 SC 628 2002 SCMR 1903 1996 SCMR 727 1968 SCMR 385	2019 CLC 1156

174. Significance & importance of Local Commission for determining the fair price of acquired land, having regard to its potentialities and future prospects.

Supreme Court	High Courts
PLD 2010 SC 719	2020 CLC 442

2009 SCMR 771 PLD 2009 SC 16 2002 SCMR 407 1999 SCMR 1647	2018 CLC Note 117 2016 CLC 216 2016 CLC 1867 2016 CLCN 87 2016 CLC Note 27 2014 CLC 900 PLD 1995 Pesh78
--	---

175. Enforceability of oral agreement-explained.

Supreme Court	High Courts
2013 SCMR 1300 PLD 2008 SC 146 1994 SCMR 2189 1993 SCMR 183	NLR 1981 SCJ 460 2017 YLR 1579 2014 YLR 191 2006 YLR 2161 2005 YLR 245 1997 MLD 1294 1996 CLC 1758 PLD 1981 Karachi.170

176.Limitation period for an application for Execution of decree.

Supreme Court	High Courts
2015 SCMR 1335 2013 SCMR 5 1972 SCMR 236	2020 CLC 1085Peshawar 2016 YLR Note 87Lahore 2014 YLR 1034Lahore 2013 YLR 226 Lahore

177. Presumption of correctness is attached to the thirty years old document.

Supreme Court
2010 SCMR 5 2007 SC M R 838 2007 SC M R 497 2007 SCMR 996 2005 SCMR 564 PLD 2005 SC 455

178. Secondary evidence is as good as primary evidence.

Supreme Court	High Courts	International Jurisdiction
2005 SCMR 152 PLD 2002 SC 84 1995 SCMR 1237 1989 SCMR 1001	2016 YLR 420 2014 CLC 871 Peshawar 2010 YLR 1036 Peshawar 2011 YLR 890 Lahore 2009 PCr.LJ 619 Lahore 2009 MLD 766 Lahore 2004 YLR 1113 Lahore 2001 CLC 1796 Lahore 2020 CLC 1804 Islamabad 2013 CLC 1800Sindh	2017 CLC 1221 HC (AJ&K)

179. Rejection of a plaint under Order VII, Rule 11 C.P.C.

Supreme Court	High Courts
PLD 2017 SC 1 2016 SCMR 201 2014 SCMR 513 PLD 2012 SC 247 2011 SCMR 27 2008 SCMR 236 PLD 2008 SC 650 PLD 2008 SC 371 2007 SCMR 741 2006 SCMR 489 2005 SCMR 1302 1994 SCMR 826 1990 SCMR 1630	2020 CLC 792 PLD 2017 Peshawar 19 2012 CLC 773

180. Evidentiary value of a cognovit.

Supreme Court	High Courts	International Jurisdiction
PLD 2012 SC 211 1996 SCMR 696 1992 SCMR 2300 1988 SCMR 322	2020 CLC 1406Peshawar 1990 MLD 334Peshawar 1990 CLC 1609Peshawar 2001 MLD 1615 Lahore 2016 CLC Note 146Sind 2012 YLR 521 Peshawar	2004 C LC 432AJ&K 1994 C LC 191AJ & K

		405 U.S. 174(1972) SC of USA
--	--	------------------------------------

181. Requirements for registration of power of attorney.

Supreme Court	High Courts
	PLD 2006 Lahore 630 1997 CLC 27 Peshawar 2007 YLR 2837 2015 YLR 435 Peshawar 2006 YLR 1845 Lahore 2004 M LD 875 Lahore

182. A registered document must not be accepted without proof of its execution, genuineness and authenticity.

Supreme Court	High Courts
2015 SCMR 1 2010 SCMR 1351 2006 SCMR 1144 1999 SCMR 1245 1990 SCMR 1259	2020 CLC 1039 Lahore

183. Whether Iqrarnama comes within the definition of Negotiable Instrument and whether it can be tried under summary procedure or in the court of plenary jurisdiction

High Courts
2023 CLD 92 Islamabad PLD 2021 Sindh 1 2012 CLD 1754 Lahore 2014 CLD 92 Lahore 2002 CLD 624Karachi 1987 MLD 50Karachi

184.

- (1) Charges of fraud with full particulars thereof and date of knowledge ought to be given in pleadings.**

Supreme Court	International Jurisdiction
2023 SCMR 1402 2021 SCMR 558 2009 SCMR 598	AIR 1951 SC 280 (2022) 8 SCC 401

- (II). In cases of fraud, limitation would start from the date of knowledge and not from the date of fraud.**

Supreme Court
PLD 2022 SC 353 2005 SCMR 1859

- (III). No fresh period of limitation can be available to legal heir(s) of the injuriously affected person.**

Supreme Court
2022 SCMR 1009 2016 SCMR 1403 2009 SCMR 731

- (IV). Locus standi of a third person in a case of fraud.**

OR

Legal effect of unchallenged disputed mutation during lifetime of the affected person

Supreme Court	High Courts	International Jurisdiction
2017 SCMR 468 2014 SCMR 513 2013 SCMR 299 2002 SCMR 1330	2021MLD 1937 Lahore 2005 MLD 1351 Lahore	AIR 2021 SC 899

- (V). The non-production of the witnesses of the gift deed does not invalidate the gift.**

High Courts
2023YLR 1576 Lahore 2022 CLC 974 Lahore 2016CLC 754 Peshawar 2019 YLR 870 Lahore

(vi) Gift is to be proved independently.

Supreme Court
2005 SCMR 135 1989 SCMR 1390 2002 SCMR 1938

185. Procedure for consolidation of suits-explained.

Supreme Court	High Courts
2021 SCMR 1446 2006 SCMR 1262 PLD 2016 SC 409	PL D 2021 Balochistan 59 2017MLD323 Islamabad

186. Jurisdiction of Civil Court to try banking cases.

Supreme Court	High Courts
2022 SCMR 1598 2015 SCMR 1545 2014 SCMR 982 2013 SCMR 1707 2013 SCMR 1383 2011 SCMR 1500 PLD 2010 SC 676	2010 PLC (C.S.) 93 Lahore

187. Limitation in inheritance cases-elucidated.

Supreme Court	High Courts
PLD 2023 SC 362	2023 YLR1182 Lahore 2023 CLC 1171 Lahore 2023 CLC 673 Lahore 2023 CLC 355 Lahore 2023CLC1039 Karachi

188. Jurisdiction of Civil Court in revenue matters.

Supreme Court	High Courts
2022 SCMR 1893	PLD 2023 98 Quetta 2023CLC663 Peshawar 2023YLR 2441 Lahore

	2023YLR 2278 Lahore 2023MLD 1061 Lahore 2023 CLC 673 Lahore 2023YLR1333 Karachi 2022 MLD 143 Quetta
--	---

189. Case law on suit for Rendition of Accounts.

Supreme Court	High Courts
2022 SCMR 852	2020 CLD 518 Lahore 2020PCr.LJ 355 Lahore 2020 YLR 366 Karachi PLD 2019 85 Quetta 2019CLD505 Peshawar.

190. Scope for filing of Intra Court appeal against the judgement/order of the company judge relating to liquidation of the company.

Supreme Court	High Courts
2019 SCMR 306 2005 SCMR 1450	2003 CLD 1764 Lahore

191. Case law on section 310 of the Companies Act, 2017 .

High Courts
2013 CLD 1568Sindh 2005 CLD 503 Lahore PLD 1999 Lahore 127 2002 CLD 512Karachi 2000 YLR 2827 Lahore

192. Case law on: S. 304 of the Companies Act, 2017 & S. 305 of the Companies Ordinance- 1984.

High Courts
2021 CLD 1158 Lahore 2019 CLD 72Sindh

193. Limitation period for filing an application for rectification under Section 126 of the Companies Act, 2017 and Section 152 of the Companies Ordinance, 1984.

Supreme Court	High Courts
2022 CLD SC 656	2022 CLD 821 Lahore

194. Steps are required to be taken for the merger of two companies under section 279 to 285 of the Companies Act, 2017.

High Courts
2021 CLD 1317 Lahore
2021 CLD 182 Lahore
PLD 2020 Lahore 869
2020 CLD 865 Lahore
2020 CLD 1443Sindh
2010 CLD 1802 Lahore,
PLD 2001 Lahore 230

195. Applicability of Qanun-e-Shahahadat Order 1984 & CPC 1908 & its procedure for recording of evidence under the Companies Act 2017.

Supreme Court	High Courts
2016 CLD SC393	2015 CLD 569 Lahore.
2016 SCMR 213	2007 CLD 334 Lahore
2008 CLD SC1117	2005 CLD 558 Lahore
PLD2008 SC 707	2003 CLD 1442 Lahore
1999 PLD SC 1	PLD 2001 Lahore 523
1995 PLD SC 320	PLD 1996 Lahore 1

196. Meaning & concept of the term “Default in payment of rent”.

Supreme Court	High Courts
2004 SCMR 1453	2015 YLR 723 Peshawar
PLD 1997 SC 564	PLD 1964 (W. P.) Peshawar101

197. Concept of Pagri under the Urban Rent Restriction Ordinance, 1959.

Supreme Court	High Courts
2000 SCMR 498 2003 SCMR 1667 1997 SCMR 1819 2001 SCMR 99 1987 SCMR 307	2020 MLD 226 Lahore 2020 CLC 526 Balochistan 2014 YLR1901 Sindh

198. Legality of order for Striking of right of defense due -to non compliance of the order passed by the Rent Controller.

Supreme Court	High Courts
2018 SCMR 1720 2017 SCMR 330 2010 SCMR 795 2010 SCMR 1 PLD 2007 SC 504	2019 YLR 757 Peshawar

199. Scope for setting aside of concurrent findings of two courts through a constitutional petition.

High Courts
2022 MLD 1754 Sindh 2015 YLR 1714 Sindh 2014 YLR 2493 Lahore 2014 CLC 832 Lahore 2013 CLC 1770 Sindh 2013 CLC 1179 Sindh PLD 2010 Peshawar 38 2007 MLD 1700 Karachi 2006 CLC 99 Karachi 2004 CLC 830 Karachi

200. Scope for filing of constitutional petition against interlocutory order of Rent Controller.

Supreme Court	High Courts
PLD 2009 SC 45 1996 SCMR 1165 1994 SCMR 65 1985 SCMR 692	2010 MLD 533 Lahore 2015 CLC 663 Sindh 2008 CLC 547 Lahore 2008 CLC 1666 Islamabad 2006 MLD 1468 Lahore

	PLD 2005 153 Peshawar 2003 YLR 1722 Peshawar 1999 MLD 3360 Lahore 1999 MLD 2920 Lahore 1998 CLC 1987Karachi 1988 CLC 44 Lahore 1983 CLC 998Karachi 1982 CLC 535 Lahore 1982 CLC 343Lahore
--	---

201. Principle for placing of burden of proof to prove the relationship of Landlord and Tenant.

Supreme Court	High Courts
1983 SCMR 1064 PLD 1982 S C 465	2020 MLD 7 Sindh 2013 CLC 780 Sindh 2012 MLD 1081Sindh 2005 CLC 1010 Karachi PLD 2001 Karachi 165, 2000 YLR 1575 Karachi 1999 YLR 230 Karachi 1997CLC216 Karachi 1995 MLD 408 Karachi 1994 CLC 582 Karachi 1993 CLC 1693 Karachi 1993 CLC 1693 Karachi 2012 MLD 459 Lahore 2016 CLC 609 Balochistan 2012 CLC 1104 Balochistan

202. Impleadment of necessary party in rent cases, explained.

Supreme Court	High Courts
2004 SCMR 415 1990 SCMR 850,	2016 MLD 809 2014 YLR 468 2015 CLC 606 2005 CLC 792 2004 YLR 558 1996 CLC 1167 1986 CLC 975 1999 CLC 342 1995 CLC 178

	1991 CLC 1926
--	---------------

203. Principle for abatement of eviction petition filed by the landlord under Section 17 of the Cantonments Rent Restriction Act, 1963 on the ground of personal need-elucidated.

Supreme Court	High Courts
2004 SCMR 1453 1990 SCMR 557 1986 SCMR 1705	PLD 2006 Lahore 684 2020 CLC 1542 Balochistan 2017 CLC 347 Balochistan

204. Admissibility of admission made by a tenant on the question of title in subsequent proceedings.

Supreme Court	High Courts
PLD 1975 SC 311	2021 CLC 623 Lahore 2018 MLD 976 Sindh 2013 YLR 2555 Lahore 2006 CLC 1834 Karachi 1998 CLC 692 1998 MLD 1737 Peshawar

205. Scope for eviction of tenant on expiry of tenure fixed in the agreement.

Supreme Court	High Courts
2009 SCMR 846 PLD 1980 SC 298	2021 CLC 1405 Lahore 2020 YLR 932 Islamabad 2018 YLR 1818 Lahore 2016 MLD 1095 Lahore 2016 MLD 103 Lahore 2016 MLD 1302 Islamabad 2016 CLC 1051 Islamabad 2010 YLR 1374 Lahore 2004 MLD 577 Lahore 1999 CLC 391 Lahore

206. Ejectment petition filed by the landlord on the ground of personal need, does not abate the proceedings when he dies during its pendency before a rent controller.

Supreme Court	High Courts
1986 SCMR 451 1985 SCMR 241 PLD 1985 SC 46	PLD 2017 Sindh 409 PLD 2006 Lahore 684 2006 CLC 1848 1989 CLC 1296 PLD 1984 Lahore 179

207. Power of Rent Controller to impose costs in proceedings under the Khyber Pakhtunkhwa Urban Rent Restriction Ordinance, 1959.

Supreme Court	High Courts
	2020 YLR 561 Sindh, 1994 MLD 293 Lahore, 1990 CLC 1724 Karachi, 1986 MLD 227 Karachi, 1983 CLC 2994 Karachi, PLD 1980 Karachi 269

208. Default in Payment of Rent & consequences thereof.

Supreme Court	High Courts
2004 SCMR 1453 PLD 1997 SC 564	2015 YLR 723 Peshawar PLD 1964(W.P.) Peshawar 101

209. Provisions of the West Pakistan Urban Rent Restriction ordinance, 1959 are not applicable to buildings and industries.

Supreme Court	High Courts
PLD 1976 SC 781 1986 SCMR 494	2001 CLC 1162 Peshawar. 1998 CLC 1883 Lahore.

210. Tenant is liable to pay the property tax in case of failure of the landlord.

Supreme Court	High Courts
2008 SCMR 219	2009 MLD 1184 Lahore 2003 MLD 279 Karachi

	2005 YLR 66 Karachi 1996 CLC 977 Karachi 19990 MLD 2287 Karachi
--	---

211. Denial of relationship of landlord and tenant by tenant, eviction order to be passed if the tenant fails to establish his plea.

Supreme Court	High Courts
2017 SCMR 330 2016 SCMR 2186 PLD 2007 SC 45	2020 Y LR 932 2019 C LC 1557 PLD 2109 Balochistan 113 2019 M LD 1991 2019 YLR 2013 2018 MLD 476

212. Mere ownership is not sufficient for establishment of relationship, rather relationship between the parties is to be established through evidence.

Supreme Court	High Courts
PLD 2009 SC 453 PLD 2007 SC 45 2007 SCMR 128 2001 SCMR 1434	PLD 2013 Peshawar 139

213. Payment of rent must be established by producing cogent, reliable and confidence inspiring evidence.

Supreme Court	High Courts
PLD 2015 SC 33 1999 SCMR 28	2019 YLR 2894Islamabad 2016 CLC 609 Balochistan 2015 MLD 1642Peshawar 2015 MLD 171 Lahore 2006 CLC 1886 Lahore

214. Mode and manner of trial when relationship of landlord and tenant is denied.

Supreme Court	High Courts
1992 SCMR 1144 1983 SCMR 1064 1994 SCMR 572	2019 YLR 671Peshawar PLD 2001 Peshawar 42 PLD 1996 Peshawar 8

	2010 YLR 239 Karachi 1991 CLC 1067 Karachi 1985 CLC 2947Lahore 2008 MLD 1531 Lahore
--	--

215. Consequences of not giving any notice under section 17 of the Cantonments Rent Restriction Act 1963.

Supreme Court	High Courts
1997 SCMR 1781 1996 SCMR 1661 1996SCMR 1532 PLD 1975 SC 58	2000 CLC 376Lahore

216. Once a tenant, is always a tenant irrespective of his status and nature of the tenancy.

Supreme Court	High Courts
PLD 2009 SC 453 PLD 2007 SC 45	2018 MLD 1231 2008 YLR 2265 Karachi 2010 CLC 1941 Lahore 2006 YLR 2323 Lahore 2016 CLC 609 Balochistan 2016 MLD 1738 Lahore

217. Family Court alone is competent to entertain a suit for the recovery of the property given as dower to the wife.

Supreme Court	High Courts
1997 SCMR 1122	2012 CLC 206 Peshawar PLD 2011 432 Lahore PLD 2006 189 Peshawar 1985 CLC 2609 Lahore

218.Maintainability of a criminal case by a husband against his wife under Section 419,420 PPC, besides contesting family suit.

High Courts
PLD 2008 66 Lahore 2005 YLR 2500Karachi 2004 PCr.LJ 620 Lahore 2005 PCr.LJ 1638Karachi

219. Physical torture is not necessary rather mental torture and agony, caused to the wife, is sufficient for the dissolution of marriage, under The Dissolution of Muslim Marriages Act, 1939.

&

Blind allegation of theft against wife and registration of FIR tantamount to cruelty.

Supreme Court	International Jurisdiction
2023 SCMR 246	PLD 2022 SC(AJ&K) 1 2015 YLR 170 SC (AJ&K) 2017CLC1184 SC (AJ&K) PLD 2020 High Court (AJ&K) 1 2019 CLC 2046 (AJK) High CourtShariat Appellate Bench

220. Maintainability of a suit for the payment of dower before a Family Court by a widow against her in-laws.

High Courts	International Jurisdiction
2003 YLR 365 Lahore	2019 MLD576SC (AJ&K) 2020 CLC 952 High Court (AJ&K)

221. Maintainability of a complaint under section 6 of Muslim Family Laws Ordinance, 1961 after divorce becomes effective.

High Courts
2018 YLR 2548

222. High Court, in family matters, can exercise constitutional jurisdiction where findings recorded by the courts below are perverse, arbitrary and suffering from the vice of misreading and non-reading of evidence.

Supreme Court	High Courts
2002 SCMR 701 2009 MLD 691	1997 CLC 742 Lahore 1995 CLC 1506 Lahore

223. Status of suit for the payment of dower filed in a family court by a widow against her in-laws

Supreme Court	High Courts	International Jurisdiction
2011 SCMR 1591 1997 SCMR 1122	2003 YLR 365 Lahore	2020 CLC 952 High Court (AJ&K) 2019 MLD 576 SC (AJ&K)

224. Family Court can grant past maintenance allowance to wife beyond the period of three years.

Supreme Court	High Courts
2009 SCMR 1037 2007 SCMR 49 PLD 1972 SC 302,	2011 MLD 1012 Lahore 1994 CLC 2403 Lahore PLD 1993 Lahore 810 1990 CLC 1908 Peshawar 1989 MLD 145 Lahore 1988 CLC 2355 Lahore 1985 CLC 1184 Lahore PLD 1977 Karachi 477, PLD 1966 (W. P.) Lahore 703.

225. Dower fixed at the time of marriage, whether prompt or deferred, is immediately payable on account of second marriage.

Supreme Court	High Courts
PLD 2020 SC 613	2018 CLC 887 Peshawar 2018 CLC Note 2 Lahore, 2015 MLD 73 Peshawar PLD 2015 Lahore 208, 2013 MLD 247 Lahore, PLD 2013 Lahore 102, 2009 CLC 374 Lahore, 2000 YLR 537 Lahore, 2000 CLC 1384 Lahore

226. Contingent Divorce under Muhammadan Law, concept explained.

High Courts
PLD 1962 (W. P.) Karachi 491 2017 YLR Note 402Sindh PLD 2019 Lahore 194 PLD 2019 Peshawar 218

227. Concept of payment of dower in case of dissolution of marriage through mubarat.

Supreme Court	High Courts	International Jurisdiction
PLD 1964 SC 456	1987 CLC 1496 Lahore 2002 CLC 1838 Lahore 2012 YLR 2841 Lahore PLD 2012 Lahore 245 PLD 2014 Federal Shariat Court 43	1996 CriLJ 1812

228. Standard of proof for dowry articles.

Supreme Court	High Courts
2017 SCMR 393 2008SCMR 1584	2020 YLR 332 Balochistan 2019 YLR 734 Peshawar 2016 MLD 668 Lahore 2016 MLD 425Sindh 2015 MLD 1683 Lahore 2010 CLC 1938 Lahore

229. Requirement of two witnesses for the proof of document in a family suit.

High Courts
2016 MLD 200 Peshawar

2012 MLD 614 Lahore
 2009 CLC 269 Lahore
 2004 MLD 635 Lahore
 2013 YLR 2086 Lahore
 1999 MLD2153Karachi
 PLD 2012 Peshawar 108

230. Dower mentioned in Column 13 of the Nikahnama will be considered as dower or it will be in addition to what is mentioned in Column 16 of the Nikahnama?

Supreme Court	High Courts
2008 SCMR 1341 2004 PLD SC10	2010 YLR 2452Peshawar. 2003 YLR 3097Peshawar. 2019 MLD 112 Lahore. 2018 YLR 2586 Lahore. PLD 2018 429 Lahore. 2018 CLCN 108 Lahore. 2017 YLR 1481 Balochistan. 2013 CLC 276 Lahore. 2011 CLC 726 Lahore. 2010 MLD 930 Lahore. 2007 CLC 1712 Lahore.

231. Case law on Maintenance of Wife.

Supreme Court	High Courts
PLD 2022 SC 686	2023 MLD 914 Lahore PLD 2023 Islamabad 34 2022 MLD 1995 Lahore 2022MLD 1762 Lahore

232. Case law on suit for recovery of dower amount.

High Courts
2023 CLC 994 Quetta 2023MLD1237 Peshawar

2023CLC 1344 Peshawar
 2023 CLC244 Peshawar
 2023 PLD 446 Lahore
 2023 YLR 193 Lahore
 2023 CLC 1285 Lahore
 2023 MLD 92 Lahore
 2023PLD135 Islamabad

233. Case law on application for appointment of guardian for minor.

Supreme Court	High Courts
PLD 2022 SC 27	PLD 2023 433 Lahore 2023 YLR 127 Karachi 2022 PLD 114 Quetta 2022 PLD 495 Lahore 2022 PLD 328 Lahore 2022 PLD 183 Lahore 2021PCr.LJ1753 Karachi

234. Case law on custody of minor (Custody petition u/s.25 of Guardian & Wards Act)

High Courts
2023CLC916 Peshawar 2023 PLD 433 Lahore 2023 YLR 497 Lahore 2023 PLD 412 Lahore 2023MLD 1000 Lahore 2023 MLD 218 Lahore

235. Where findings of the two Courts below are result of non-reading or mis reading of evidence then a revisional court must interfere therein to correct the course of justice.

Supreme Court	High Courts
PLD 2022 SC 482	PLD 2023 Quetta 22
2022 SCMR 1054	2023 MLD 383
2020 SCMR 2046	2023 MLD 226
2016 SCMR 24	2023 CLC 504
2014 SCMR 161	
PLD 2012 SC 400	
2010 SCMR 1630	
2008 SCMR 1454	
2006 SCMR 50	
PLD 2006 SC 309	

236. Purpose and scope of Ord VII rule 6 CPC.

Supreme Court	High Courts
2023 SCMR 354	2023 YLR 1329 Lahore
2020 SCMR 171	2023 PLD 123 Karachi
PLD 2012 SC 211	2022 MLD 1439 Peshawar
	2021 CLC 1206 Peshawar
	2021 CLC 644 Lahore
	2021 CLD 794 Karachi
	2020 PLD 451 Karachi
	2019 PLD 68 Lahore
	2019 CLC 1475 Lahore
	2019 YLR 2609 Karachi

	2014 YLR 615 Peshawar 2013 CLC 343 Quetta 2013 MLD 877 Islamabad
--	--

237. Rights in shamilat deh, explained.

Supreme Court	High Courts	International Jurisdiction
2018 SCMR 2051 2018 SCMR 1199	2023 CLC 320 Peshawar 2022 YLR 2154 Quetta 2022 MLD 563 Quetta 2022 MLD 143 Quetta 2021 YLR 84 Peshawar 2018 YLR 2383 Lahore 2017 YLR 867 Peshawar PLD 2017 Peshawar 14	2021 YLR 991 SC AJ&K 2020 CLC 373 SC AJ&K

238. Change of date of birth, principles elucidated.

Supreme court	High Courts
2022 SCMR 912 2021 SCMR 595 2020 SCMR 316 2020 PLC(CS) 386 PLD 2015 SC 327	2023 YLR 1283 Lahore 2023 CLC 776 Karachi 2023 PLC 30 Islamabad PLD 2022 Karachi 565 2022 PLC(CS) 427 Karachi 2021 YLR 1288 Peshawar 2021 MLD 123 Lahore 2020 MLD 157 Karachi 2017 PLC(CS) 74 Quetta 2016 YLRN 34 Karachi

239. Claiming Damages on Defamation.

Supreme Court	High Courts
2023 SCMR 636	2023 CLC 1273 Quetta
2022 SCMR 1267	PLD 2023 Quetta 85
2022 SCMR 356	2023 MLD 937 Lahore
PLD 2021 SC 564	2023 MLD 525 Lahore
2018 SCMR 791	2023 MLD 611 Karachi
	PLD 2022 Lahore 773
	2022 MLD 286 Karachi
	2021 MLD 1 Peshawar
	2020 PLD 208 Karachi
	2019 PLD 135 Peshawar
	2019 MLD 384 Peshawar

240. Case law on Illegal Dispossession.

Supreme Court	High Courts
2022 SCMR 1282	2023 YLR 187 Karachi
2016 SCMR 1931	2023 YLR 173 Karachi
PLD 2016 SC 769	2023 MLD 823 Karachi
2012 SCMR 1533	2022 MLD 630 Quetta
2012 SCMR 229	2022 YLRN 100 Quetta
2011 SCMR 1137	2022 YLR 2252 Peshawar
2011 SCMR 549	2022 YLR 76 Lahore
PLD 2011 SC 181	PLD 2022 Lahore 427
2010 SCMR 1584	2022 MLD 1109 Karachi
2010 SCMR 1254	2022 YLR 1696 Islamabad
PLD 2010 SC 725	2022 YLR 1 Islamabad
PLD 2010 SC 661	

PLD 2007 SC 423	
2006 SCMR 907	

241. Case law regarding Land Acquisition.

Supreme Court	High Courts
2023 SCMR 1005	2023 YLR 1344 Quetta
2023 SCMR 981	2023 YLR 619 Peshawar
2023 SCMR 950	2023 CLC 731 Peshawar
2023 SCMR 700	2023 CLC 487 Peshawar
2023 SCMR 493	PLD 2023 Peshawar 71
2023 SCMR 102	2023 YLR 222 Lahore
PLD 2023 SC 277	2023 MLD 11 Lahore
	2023 CLC 1383 Karachi
	PLD 2023 FSC 47

242. Cancellation of an Instrument & consequences thereof.

Supreme Court	High Courts	International Jurisdictions
2021 SCMR 1775	2023 CLC 663 Peshawar	2017 YLR 925 SC AJ&K
2021 SCMR 1986	2023 YLR 1033 Lahore	2017 YLRN 198 SC AJ&K
PLD 2020 SC 390	2023 YLR 1431 Karachi	
2016 SCMR 24	2023 YLR 104 Karachi	
PLD 2015 SC 212	2022 PLD 89 Quetta	
2011 CLD1190 SC	2022 MLD 645 Lahore	
	2021 CLC 1998 Quetta	
	PLD 2021 Lahore 533	
	2021 MLD 624 Karachi	
	2020 MLD 1745 Peshawar	
	2020 MLD 1312 Lahore	

	2020 YLR 1783 Karachi PLD 2019 Quetta 59 2019 CLC 1862 Peshawar 2019 MLD 2016 Karachi 2018 CLD 104 Lahore 2018 CLC 1720 Karachi 2017 PLD 45 Lahore 2017 MLD 323 Islamabad 2016 CLC 517 Peshawar	
--	---	--

243. Whether evidence can be led or looked into in support of plea which had not been taken in pleadings?

Supreme Court	High Courts
2023 SCMR 344 PLD 2022 SC 99 2015 SCMR 1698 2014 SCMR 922 2006 SCMR 562 1996 SCMR 336	2023 MLD 462 2023 CLC 543

244. Consequences when deed is not executable.

Supreme Court	High Courts
PLD 2003 SC 128 PLD 1996 SC 825	2020 CLC 1974 2019 YLR 661 2018 CLC 1487 2016 CLC NOTE 126 2014 YLR 2321

	2012 MLD 1856
	2007 YLR 1321
	2007 CLC 362
	2003 YLR 1821
	1994 MLD 1671

245. Extent of Jurisdiction of Encroachment Tribunal under NWFP Public Property Removal of Encroachment ACT 1977, explained.

Supreme Court	High Courts
PLD 2003 SC 307	2023 CLC 1091
PLD 2004 SC 682	2023 CLC 1093
PLD 1999 SC 41	PLD 2018 Peshawar 47
1993 SCMR 907	

246. Evidence of Informer in Pre-emption cases has a vital role.

Supreme Court	High Courts
2022 SCMR 1231	2018 YLR NOTE 148
PLD 2015 SC 69	2015 YLR 76
2013 SCMR 721	2015 MLD 373
2011 SCMR 762	2014 MLD 141
	PLD 2011 Peshawar 116

247. Claim of Inheritance by Legal Representative of Legal Representative.

Supreme Court
2022 SCMR 877
2022 SCMR 1558
PLD 2022 SC 353

PLD 2021 SC 812
 PLD 2014 SC 167
 2007 SCMR 1446

248. Power of an authority to lift the veil of incorporation.

Supreme Court	High Courts
PLD 2019 SC 250	PLD 2022 Peshawar 46
1993 SCMR 468	PLD 2009 Karachi 139
PLD 1971 SC 585	203 CLC 1512

249. Executing Court while executing decree has to determine how and in what manner decree is to be executed.

Supreme Court	High Courts	International Jurisdiction
2003 SCMR 1524	2022 MLD 1356 2021 CLC 400 2019 CLD 441 2018 CLC 801 2013 CLD 1661 2007 CLD 618 2006 CLD 1508 2002 YLR 2553 2001 MLD 1996	AIR 1956 Hyd 7

250. Principle of nearer in blood shall exclude the more remote-explained.

Supreme Court	High Courts
2007 SCMR 1690	2022 CLC 1891 Lahore
PLD 2005 SC 511	2019 YLR 2728 Peshawar

	PLD 2018 Karachi 325 2016 MLD 1674 Lahore 2010 YLR 406 1985 MLD 197
--	--

251. Court cannot grant relief and can grant relief to defendant without claim as set off.

Supreme Court	High Courts	International Jurisdiction
PLD 2021 SC 715 2011 SCMR 80 2010 SCMR 984 2006 SCMR 688 2001 SCMR 279 PLD 1986 SC 35 1985 SCMR 241 PLD 1985 SC 46 PLD 1978 SC 220	2016 YLR 233 Peshawar	AIR 1984 SC 143 1998 (6) SCALE 49 (1984) 1 SCC 369

252. Whether it is mandatory that plaintiff/bank shall file statement of accounts duly certified under the Bankers Books Evidence Act, 1891 along with plaint? What is its scope with reference to Electronic Transactions Ordinance, 2002?

High Courts	International Jurisdiction
2017 CLD 552 2017 CLD 1583 2016 CLD 29 2014 CLD 763 2013 CLD 88	AIR 1988 Bombay 380

2012 CLD 971	
--------------	--

253. In view of Section 47 of Registration Act 1908, what will be the operative date of a registered deed, the date of execution of deed or the date of its registration?

Supreme Court
2011 SCMR 794
2002 SCMR 1821
1992 SCMR 2300
PLD 1964 SC 236
1984 SCMR 746
PLD 2003 SC 818

254. Meaning and concept of the term “Material Fact”-elucidated.

High Courts	International Jurisdiction
2013 CLD 2005 Lahore	AIR1982SC 1559
PLD 2004 Karachi 17	AIR 1976 SC 744
2000 CLC 63 Lahore	PLD1948PC131
PLD 1965 (W. P.) Lahore 172	

255. Evidentiary value of oral evidence recorded by the Commission laid down.

Supreme Court	High Courts
2012 SCMR 900	PLD 2011 Lahore 207
	PLD 2008 Karachi 239
	PLD 1978 Lahore 31

256. What defects are in an exchange transaction which if proved by a pre-emptor can demonstrate that it is actually a sale and the sale has been disguised as an exchange transaction?

Supreme Court	High Courts
2011 SCMR 749 2004 SCMR 838 1997 SCMR 1892 1992 SCMR 1785 1976 SCMR 104 1972 SCMR 649	PLD 1951 Peshawar 14 PLD. 1960 (W. P) Lah461

257. Whether Aust Panj Sala can be used to determine current value of the land exchanged? Whether non transfer of possession of land be treated as one of parameters to prove fictitious exchange?

Supreme Court	High Courts
1990 MLD 1019 1989 SCMR 34 1986 SCMR 860 1997 SCMR 1892 1976 SCMR 104	1993 CLC 820 1983 CLC 2162 1990 MLD 1019

258. Relevance of 'reserve price' in respect of sale/privatization of Government owned property and importance of not disclosing such reserve price to public.

Supreme Court	High Courts
PLD 2016 SC 229 2016 CLD 480 PLD 2014 SC 283 2013 SCMR 773	2022 CLC 1491 PLD 2016 Lahore 526 2015 CLD 40

259. Jurisdiction of civil courts in respect of matters falling within canal and drainage authorities.

Supreme Court	High Courts
2005 SCMR 668 1996 SCMR 536 1995 SCMR 891	2010 YLR 2225 PLD 1998 Lahore 142 1995 MLD 999

260. Application of judicial mind in Banking matters by Banking Court is necessary.

Supreme Court	High Courts
1984 SCMR 1014	2007 CLD 244 Lahore
PLD 19970 SC 173	2006 CLD 183 Lahore
PLD 1970 SC 158	2005 CLD 629 Lahore
PLD 1959 SC 272	2005 CLD 126 Lahore
	2005 CLD 581 Lahore
	2004 CLD 811 Lahore

261. Applicability of the provisions of the Limitation Act, 1908 to proceedings under Financial Institutions (Recovery of Finance) Ordinance, 2001.

Supreme Court	High Courts
2001 SCMR 286	2017 CLD 81 Lahore
	2006 CLD 81 Lahore
	2006 CLD 1301 Lahore
	2004 CLD 924 Lahore
	2004 CLD 1361 Lahore
	2002 CLD 1689 Lahore

262. Customer/accused has secured loan from bank on the basis of forged fard whether forgery committed by customer/accused comes within ambit of Section 20 Financial Institutions (Recovery of Finance) Ordinance, 2001?or under the scheduled offences of Offences in Bank(special courts) ordinance, 1984? Which court has the jurisdiction to conduct trial of aforesaid offences?

Supreme Court	High Courts
2017 SCMR 1218	PLD 2016 Sindh 311
	1987 PCr.LJ 896 Lahore

	PLD 1986 Karachi 417
--	----------------------

263. Can appeal against interim order of banking court be converted into constitutional petition?

Supreme Court	High Courts
2017 SCMR 118	2015 CLC 1734

264. The distinction between interlocutory and final order. Whether appeal is barred against interim order of Banking Court?

Supreme Court	High Courts
PLD 1993 SC 109	2018 CLD 88 Lahore 2017 CLD 1428 Sindh 2015 CLD 1875 Lahore 2014 CLD 1596 Lahore 2013 CLD 218 Lahore 2003 CLD 588 Lahore

265. Whether leave granting/refusing order to defend and appear is appealable under Financial Institutions (Recovery of Finance) Ordinance, 2001?

Supreme Court	High Courts
PLD 1993 SC 109 PLD 1981 SC 359 2010 CLD 974 SC	2017 CLD 1633 Lahore 2015 CLD 1875 Lahore 2014 CLD 1596 Lahore 2016 CLD 224 Lahore 2014 CLD 1452 Lahore 2013 CLD 2033 Sindh 2006 CLD 169 Sindh 2005 CLD 1571 Sindh 2002 CLD 1407 Lahore

266. Whether appeal is maintainable against rejection of application for leave to defend in banking suits?

High Courts
2014 CLD 1452 Lahore

267. Status of statement of account prepared by state life, explained.

High Courts
2016 CLD 1621 Lahore
2004 CLD 535 Lahore
2004 CLD 1376 Lahore
2003 CLD 1464 Lahore
2003 CLD 653 Lahore
1999 YLR 2071 Lahore

268. Case Law relating to Child labor in Pakistan and India.

High Courts	International Jurisdiction
2018 YLR 1171	AIR 2011 SC3361
PLD 1997 Lahore 428	AIR 1997 SC 699
1989 PCr.LJ 2459 Karachi	2005 ILR(Karnataka) 6001
1991 MLD 447 Karachi	

269. Agent, Broker and dealer defined.

Supreme Court	High Courts	International Jurisdiction
1993 SCMR 920	2016 CLC Note 140 Sindh	204 I T R 93
	1995 PTD 242	
	2017 YLR 2006 Sindh	
	2016 CLC 83 Sindh	

270. Case Law on environmental issues.

Supreme Court	High Courts
2018 SCMR 76	2018 CLC 1311 Peshawar
2017 SCMR 732	2016 CLD 569 Peshawar
2016 SCMR 48	2018 CLD 506 Lahore
2015 SCMR 1520	PLD 2018 Lahore 1
PLD 2014 SC 350	2018 CLD 139 Lahore
2013 SCMR 594	2017 CLD 772 Lahore
2011 SCMR 1743	2014 CLD 222 Sindh
2010 SCMR 361	2007 CLC 1358 Karachi
2009 SCMR 1399	2007 CLD 783 Karachi
PLD 2008 SC 716	2015 YLR 2349 Quetta
2005 PTD 172	PLD 2012 Quetta 31
1996 SCMR 543	

271. Criminal and Civil Liability of a Master in relation to his servant.

High Courts	International Jurisdiction
1992 MLD 1711	AIR 1964 SC 377
1988 CLC 2325 Karachi	AIR 1960 CriLJ 611
PLD 1958 Dhaka 137	AIR 1956 All 655
PLD 1957 PC 12	AIR 1951 SC 204
	AIR 1947 PC 135
	AIR 1945 All 90
	AIR 1928 Cal 491

272. “Res Ipsa loquitur” its application in Pakistan.

Supreme Court	High Courts
2013 SCMR 480	2004 PCr.LJ 1978 Lahore 2002 MLD 539 Lahore PLD 2002 Lahore 369 2001 CLC 1048 Karachi 1989 CLC 2218 Karachi 1996 MLD 1913 Karachi

273. Ejectment on oral personal bonafide need of Landlord.

Supreme Court	High Courts
2003 SCMR 1667 2002 SCMR 412 2000 SCMR 542 PLD 1990 SC 394	2023 CLC 871 Peshawar 2017 YLR Note 244 Sindh 2017 MLD 605 Sindh 1993 MLD 2231 Sindh 1989 CLC 287

274. Ejectment upon plea of reconstruction of rented building.

Supreme Court	High Courts
2001 SCMR 1197 2001 SCMR 577 1992 SCMR 1158 PLD 1978 SC 78	2020 CLC 60 Karachi 2014 CLC 1595 Peshawar PLD 2014 Sindh 194 1993 CLC 2407 Lahore

275. Scope for production of additional evidence in rent matters.

Supreme Court	High Courts
2007 SCMR 818	PLD 2013 Lahore 95
PLD 1985 SC 148	2011 YLR 2460 Lahore
PLD 1983 SC 155	2003 YLR 1722 Peshawar
PLD 1976 SC 422	2000 YLR 1343 Lahore
	1994 MLD 293 Lahore

276. Default in Payment of rent and denial of relationship as landlord & tenant.

Supreme Court
2016 SCMR 2186

277. Is oral tenancy admissible under the law?

Supreme Court	High Courts
PLD 2013 SC 775	2013 CLC 649
PLD 2009 SC 453	
PLD 2007 SC 45	

278. Limitation for recovery of arrears of rent and payment of month-to-month rent.

Supreme Court
2013 SCMR 1623
1991 SCMR 1185
1993 SCMR 200

279. How period of illegal occupancy and fine can be determined?

Supreme Court	High Courts
2005 SCMR 357	2017 CLC Note 224 Sindh 2015 CLC 1667 Islamabad 2015 MLD 1191 Sindh 1991 CLC 1459 Lahore

280. Question of title cannot be decided by a rent tribunal/court.

Supreme Court
2011 SCMR 320 PLD 2009 SC 453 2006 SCMR 1061 2004 SCMR 738 1983 SCMR 1064

281. Recovery of past rent through a recovery suit.

High Courts
2014 CLC 1756 Sindh 2011 CLC 1771 Lahore 2009 MLD 564 Peshawar 2007 CLC 1135 Lahore

282. Calculation of court fee on memorandum of rent matters?

Supreme Court	High Courts
1988 SCMR 759 PLD 1984 SC 289	2015 MLD 751 Lahore 2015 CLC 776 Lahore

	PLD 2010 Lahore 197 2003 MLD 376 Lahore 1993 CLC 224 Lahore
--	---

283. Period of Limitation regarding second appeal in rent cases.

Supreme Court	High Courts
1983 SCMR 1239	2004 YLR 1237 Lahore 1997 MLD 1023 Lahore PLD 1994 Peshawar 55

284. Can concurrent findings in rent case assailed under constitutional jurisdiction, be declined?

Supreme Court	High Courts
2013 SCMR 1497	2012 YLR 2293 Lahore 2011 YLR 455 Lahore 2010 CLC 1557 Lahore

285. Appellate Court cannot Suo motto grant maintenance which is not prayed.

Supreme Court	High Courts
1988 SCMR 1696	2015 CLC 349 Islamabad 2017 CLC Note 101

286. Talaq would become effective only after notice of Talaq given to Chairman of the union council and period of three months provided for bringing out a reconciliation between the parties expired.

Supreme Court	High Courts
1984 SCMR 583	2013 CLC 1625

1970 SCMR 845	2016 M LD218
1963 SCMR 51	1991 M LD 403
	1991 MLD 1250
	1995 CLC 731
	PLD 1971 Karachi 118

287. Case Law on Section. 15 & 16 of The West Pakistan Civil Courts Ordinance, 1962.

Supreme Court	High Courts
2004 SCMR 452 1985 SCMR 604	PLD 2023 Lahore 149 2003 YLR 2012 Karachi 2000 CLC 1801 Lahore 1984 CLC 1038 Karachi PLD 1977 Karachi 901 PLD 1977 Lahore 687 PLD 1986 Lahore 663 1986 CLC 1451 Lahore PLD 1975 Karachi 59

288. Declaration without consequential relief is not maintainable.

Supreme Court	High Courts	International Jurisdiction
1991 SCMR 1483	2017 YLR 405 1999 YLR 1610 Peshawar	1981 AIR (ORISSA) 74 1972 AIR (SC) 2685 2017 YLR 2388 AJ&K

289. Declaration without consequential relief,when maintainable?

Supreme Court	High Courts	International Jurisdiction
2003 SCMR 318	2003 MLD 1324 Lahore	AIR 1984 Pat 316 AIR 1950 (KUTCH) 4

290. The Court is empowered to mold relief but no relief can be granted which a plaintiff has not sought in the plaint unless it is a general relief.

Supreme Court	High Court	International Jurisdiction
2012 SCMR 1688 2006 SCMR 688 PLD 1978 SC 220	2007 YLR 2453 Lahore 1990 CLC 1116 Karachi	2017 (2) OJR 719 2016 (1) ILR (cuttuk) 384 1953 AIR (SC) 235

291. In an application under section 12 (2) it was not essential for trial court to frame issues for leading evidence.

Supreme court	High Courts
2009 SCMR 40 2006 SCMR 531 PLD 2006 SC 773 2003 SCMR 1050 2002 SCMR 2003 PLD 2002 SC 500 2001 SCMR 46 2000 SCMR 296 1999 SCMR 1714 1993 SCMR 662	2015 YLR 1886 Islamabad 2002 CLC 167 Lahore 1990 CLC 366 Karachi

292. Meaning and concept of the term "Jagir"

Supreme Court	High Court
2007 SCMR 1212 PLD 1967 SC 533	PLD 1997 Quetta 104

293. Refund of earnest money- the award of compensation by the court under section 74 of the Contract Act will depend upon its finding as to what in the facts and circumstances of the case is reasonable compensation.

Supreme Court	High Courts	International Jurisdictions
2019 SCMR 101 2004 SCMR 436	2019 CLC 122 Sindh 2012 (1) GLR 866	2013 (5) RCR (Civil) 276 1959 AIR (Patna) 176 1958 BLJR 626 1950 AIR (EP) 278 AIR 1947 NAGPURE 193 AIR 1930 Bombay 213

294. The principle of res-judicata cannot be pressed into service unless it is established that the matter in issue was earlier adjudicated on merits and conclusively decided.

Supreme Court	High Courts	International Jurisdictions
2007 SCMR 289 PLD 2005 SC 511 1999 SCMR 705 1989 SCMR 58 1985 SCMR 464	2018 YLR 2219 Islamabad PLD 1973 Lahore 495	(2013) YKSC 46 AIR 1985 SC 1096 1955 MBLJ 41

295. Process of execution cannot be shifted towards the grandfather only on account of the fact that judgment-debtor has failed to discharge his liability under the decree.

Supreme Court	High Courts
2014 SCMR 1481 PLD 1991 SC 543	PLD 2016 Lahore 622

296. Re-appraisal of evidence by High Court where findings of fact arrived by courts below are found to be based upon misreading, non-reading or misinterpretation of evidence.

Supreme Court	International Jurisdictions
2019 SCMR 524 2009 SCMR 1183 PLD 2007 SC 26 PLD 1985 SC 382 PLD 1982 SC 645	2018 YLR 2617 (High Court of AJ&K)

297. Second appeal is restricted and limited to the grounds prescribed by law and second appellate court is not expected to enter into re-appraisal of evidence or to strike down concurrent findings of fact.

Supreme Court	High Courts
2008 SCMR 190	2017 CLC Note 175 Sindh 2013 MLD 930 Sindh

298. Mere concession on a question of law by a party would not operate as an estoppel.

Supreme Court	High Courts	International Jurisdictions
PLD 2005 SC 819 PLD 1981 SC 531	2010 PLC (CS) 1457	2000 AIR (Punjab) 156 2000 (2) SCT 270 2000 (245) ITR 610 1997 (1) SCT 148

299. The revisional jurisdiction of the High Court is always discretionary and equitable in nature. A party is not entitled to seek this relief as a matter of right.

Supreme Court	High Courts	International Jurisdictions
PLD 1972 SC 69 PLD 1970 SC 139	2013 YLR 1553 Lahore PLD 2009 Peshawar 50 2007 CLC 894 Peshawar 2004 CLC 231 Peshawar 1990 CLC 1499 Lahore	2004 AIR (Uttaranchal) 30 1984 AllWC 688 1982 JabLJ 132 1985 CLC 1573 (AJ & K)

300. The concept of waiver and estoppel explained.

Supreme Court	High Courts	International Jurisdictions
PLD 2011 SC 657	2013 MLD 1106 Peshawar PLD 2009 Lahore 473	(2015) EWHC 1400 (TCC) (2011) EWCA Civ 1572 2005 AIR (SC) 2758 2003 AIR (SC) 578 1997 (2) BC 128 1997 (2) AD (Delhi) 585 1990 (4) SCC 668 1976 AIR (A.P) 205 1975 (1) APLJ 283 AIR 1973 SC 2069 AIR 1935 Privy Council 79

301. It is settled law that when basic order is illegal the superstructure built on it would have to fall automatically.

Supreme Court
PLD 2008 SC 663 2007 SCMR 729 2007 SCMR 289

2007 SCMR 13
2007 SCMR 1835
PLD 2002 SC 303

302. Family arrangement is subject to regular partition and deed of partition is subject to approval of Revenue Authority.

Supreme Court	High Courts	International Jurisdictions
PLD 2009 SC 198 1997 SCMR 1282	2017 MLD 490 Peshawar 2016 MLD 192 Lahore PLD 2012 Peshawar 151 2003 YLR 362 Lahore 1991 MLD 193 Peshawar	2018 CLC 608 (High Court of AJ & K) 2014 CLC 1103 (High Court of AJ&K) 2013 CLC 148 CS (AJ&K)

303. Private partition, if proved suit for partition will not lie. Suit for possession can be filed.

High Courts
2007 MLD 315 Lahore PLD 2007 Karachi 421

304. Right of inheritance of female cannot be denied on the basis of oral assertion of surrender of such right by a female in favor of male member of the family.

Supreme Court	High Courts
2008 SCMR 3643 2005 SCMR 1447 PLD 1991 SC 1140	2018 YLR Note 138 Lahore 1992 MLD 1598 Karachi

305. Civil Court is competent to entertain cases arising out of contractual obligations. Writ petition will not lie.

High Courts	International Jurisdictions
2020 YLR 537 Sindh 2018 CLC Note 17 Peshawar 2018 YLR 412 Islamabad 2014 YLR 399 Peshawar 2014 MLD 1835 Peshawar 2013 YLR 2132 Peshawar PLD 2012 Lahore 52 2010 YLR 2805 Lahore	2018 YLR 1151 (High Court of AJ& K)

306. It is settled law that when the statute does not provide a right of appeal against certain orders, the same cannot be challenged by invoking constitutional jurisdiction.

Supreme Court	High Courts
2020 SCMR 260 2017CLD 1080 SC	PLD 2019 Lahore 145

307. Right of review was a substantive right and was creation of statute.

Supreme Court	High Courts
PLD 2007 SC 121 PLD 1981 SC 94 PLD 1970 SC 1	2015 PTD (Trib) 687 PLD 2009 Karachi 397 PLD 2000 Lahore 162 1984 CLC 47 Karachi PLD 1966 Lahore 53

308. Meaning and definition of the term “Modify”.

High Courts	International Jurisdictions
1984 CLC 2158 Lahore PLD 1964 Dacca 756	1998 (2) CTC 723 1993 (68) ELT 739 1985 RRR 269 1981 PLJ 481 1981 PLR 738 1980 (2) MLJ 447 1974 All. LJ 642 1961 All.LJ 722 1956 AIR (J&K) 1

309. Revisional Jurisdiction of the High Court is somewhat analogous to the writ jurisdiction and cannot be equated with the civil suit.

Supreme Court
2006 SCMR 1304 1996 SCMR 1755 1992 SCMR 2334 1991 SCMR 496

310. Government Department cannot be treated differently in the matter of limitation.

Supreme Court	High Courts
2010 SCMR 1899 1998 SCMR 307	PLD 2020 Sindh 136 2019 CLC 1972 Lahore 2014 PTD 383 Peshawar

311. Co-owner cannot restrain other co-owners from raising construction without official partition.

Supreme Court	High Courts	International Jurisdictions
2004 SCMR 1581	2016 YLR 2195 Peshawar	2014 (21) SCT 701
2003 SCMR 999	2009 CLC 92 Peshawar	2011 (1) Civ CC 661
PLD1998 SC 1509	2006 MLD 435 Lahore	2001 (3) RCR (Civil) 491
PLD 1995 SC 462	2004 YLR 1136 Lahore	1999 CLC 598 (S C AJ&K)
1989 SCMR 130	2004 YLR 113 Lahore	
	1994 CLC 92 Peshawar	
	1994 MLD 550 Lahore	

312. A bona fide purchaser in view of the rule/doctrine of lis pendens shall be bound by the result of the suit stricto sensu in all respects.

Supreme Court	High Courts
PLD 2011 SC 905	2020 CLC 23Peshawar 2019 CLC Note 60Sindh 2014 CLD 1364Lahore 2003 YLR 2231Karachi 2015 YLR 1886Islamabad 2017 MLD 329Sindh

313. Award of compensation---Principles.

High Courts	International Jurisdictions
2009 CLC 1431Karachi	AIR 1926 Born. 189
PLD 1970 Karachi. 770	1979 All ER 186
1995 CLC 735	AIR 1952 Allahabad 602

1989 CLC 916	AIR 1924 Lahore 713
--------------	---------------------

314. What is meaning of the word “Wilful Default” in terms of payment of rent by the tenant.

Supreme Court	High Courts	International Jurisdictions
PLD 2005 SC 34	1990 MLD 1869 2006 YLR 2046 2012 CLC 1178	1985 AIR (SC) 582 2000 AIR (SC) 1880

315. Purpose and scope of summary judgment.

International Jurisdictions
2014 SCC 7 (Supreme Court Of Canada)

316. The power of attorney must be strictly construed and proved.

Supreme Court	High Courts
PLD 2005 SC 418 2001 SCMR 1091	2020 CLD 49Sindh 2007 CLC 500Peshawar

317. Lease deed for period of more than one year; registration is compulsory.

Supreme Court	High Courts
PLD 1970 SC 465	2009 YLR 2294Lahore

318. A lease is prima facie a heritable right.

Supreme Court
2005 SCMR 309

319. An appellate court may mould relief and grant decree as required by the merits of the case.

Supreme Court	High Courts	International Jurisdictions
2006 SCMR 100 PLD 1990 SC 359 1999 SCMR 1060, 1998 SCMR 2306, 1997 SCMR 1692 1995 SCMR 266	2019 CLC 71 Lahore 1986 CLC 27Quetta 2002 CLC 209Quetta	1996 MLD 692 Shariat Court (AJ&K)

320. On filing of appeal the entire matter becomes reopened and subjudice and has to be decided in accordance with the prevailing law.

Supreme Court
PLD 1965 SC 1

321. Nature and history of Waqf property.

Supreme Court	International Jurisdictions
PLD 2019 SC 730 PLD 2012 SC 897	2018 CLC 349High Court (AJ&K)

322. A Waqf created under Muslim Law is irrevocable. The only exception to this rule is that of testamentary waqf.

Supreme Court	High Courts
2013 SCMR 737	2016 MLD 1749Peshawar

323. Service Tribunal has the power to entertain an application under Section 12(2) of CPC.

Supreme Court
2022 SCMR 595

324. An application under Section 12 (2) CPC is maintainable before the Family Court.

Supreme Court
2021 SCMR 1145

325. Scope for maintainability of an application under Section 12 (2) CPC under West Pakistan Urban Rent Restriction Ordinance, 1959-explained.

Supreme Court	High Courts
1992 SCMR 1908	2013 CLC 960 Lahore 2012 YLR 2471 Lahore 2011 CLC 1610 Lahore 1990 MLD 1689 Karachi 1985 CLC 2438 Karachi 1985 CLC 130 Karachi

326. Application under Section 12 (2) CPC is maintainable in cases of proceedings under Banking Companies (Recovery of Loans, Advances, Credits and Finances) Act, 1997.

Supreme Court	High Courts
2007 SCMR 922	2014 CLD 390 Lahore 2013 CLD 1002 Sindh 2009 CLD 1389 Lahore

327. Maintainability of an application under Section 12 (2) CPC against order passed by High Court under Article 199 of the Constitution.

High Courts
2022 CLC 1 Sindh
1987 CLC 2397 Lahore
1986 MLD 531 Lahore

328. Application under Section 12 (2) was to be filed before the forum which passed the final order/deGREE.

Supreme Court	High Courts
PLD 2016 SC 358	2021 YLR 924 Peshawar
PLD 2013 SC 478	PLD 2021 Balochistan 196
	1993 CLC 1257 Karachi

329. An application under Section 12 (2) CPC is not maintainable against consent decree.

High Courts
2017 CLC Note 55 Lahore
2014 YLR 66 Sindh

330. Decree passed on the basis of award can be assailed through filing an application under Section 12 (2) CPC.

High Courts
2007 CLC 1507 Lahore
2007 CLC 1247 Karachi

331. Provision of Section 12 (2) CPC could not be used as an alternative for ordinary remedy of appeal/revision.

High Courts
2022 MLD 543 Balochistan

332. Application under Section 12 (2) CPC after filing review petition is not maintainable.

Supreme Court
2008 SCMR 226

333. Application under Section 12 (2) CPC would be governed by Article 181 of the Limitation Act, 1908 which prescribes a period of three years.

Supreme Court	High Courts
1992 SCMR 917	2022 CLC 167 Lahore
1991 SCMR 1022	2018 YLR 2555 Balochistan
1990 SCMR 1377	2017 MLD 567 Islamabad
	2016 CLD 210 Sindh
	1993 MLD 1088 Karachi
	1992 CLC 1958 Sindh
	1983 CLC 2919 Lahore

334. Necessary ingredients of the fraud must be pleaded in the application.

Supreme Court	High Courts
PLD 2008 SC 591	2018 CLD 1253 Lahore
	2017 CLD 1076 Lahore

335. Procedure provided under Order IX or Section 151 of CPC will be applicable for restoration of application under Section 12 (2) CPC.

High Courts
2013 YLR 565 Lahore
2017 MLD 141 Lahore

336. The concept of arguable case for grant of temporary injunction explained.

Supreme Court	High Courts	International Jurisdictions
1977 SCMR 220 PLD 1970 SC 180	2022 CLC 502 Peshawar 2011 CLC 933 Karachi 2003 MLD 1947 Karachi 2000 CLC 1546 Karachi 1989 CLC 1801 Lahore	(2019) 1 WLR 3514 (2018) 1 WLR 247 (2018) UKSC 34 (2018) 1 WLR 3683 (2017) UKSC 80 (2007) 1 WLR 12

337. Section 53 of the Transfer of Property Act or Section 391 of the Companies Act, 2017 seek to preserve the status of the assets when transferred to third party with a fraudulent purpose.

High Courts	International Jurisdictions
2021 PCr.LJ 1738 Islamabad	(2010) 158 Company Cases 237 (2000) 2 SCC 756 (1993) 78 Company Cases 156 (1986) 60 Company Cases 77

338. The concept of necessary parties in a family suit-explained.

Supreme Court	High Courts
2011 SCMR 1591	2020 MLD 1091 Peshawar

	2008 CLC 803 Peshawar 2007 CLC 1517 Lahore
--	---

339. The Board of Revenue can call for record of any case or proceedings under Sub-Para 7, Para 25 of Martial Regulation 115 which has overriding effect to scrutinize any order passed by a Collector or a Commissioner and proceed to pass any order in relation thereto.

Supreme Court	High Courts	International Jurisdictions
1985 SCMR 770 1976 SCMR 26	2018 MLD 476 Peshawar PLD 1986 Peshawar 67 1990 MLD 2281 (Board of Revenue Punjab) PLD 1986 Lahore 237 PLD 1968 Lahore 11	2002 MLD 1224 (Supreme Court AJ& K)

340. Meaning & concept of “an act of willful default”.

Supreme Court	High Courts	International Jurisdictions
PLD 2005 SC 34	2012 CLC 1178 Lahore 2006 YLR 2046 1990 MLD 1869	1985 AIR (SC) 582

341. Where entitlement of a party could be measured in pecuniary terms, the agreement was specifically enforceable. Where agreement pertained to and was dependent upon the personal professional qualification and ran into minute and numerous details, the same could not be specifically enforced.

Supreme Court	High Courts
PLD 1997 SC 835	2010 MLD 800 Lahore PLD 2002 Karachi 141

342. Injunction could not be granted to prevent the breach of a contract which was not specifically enforceable.

Supreme Court	High Courts
PLD 1997 SC 835	2010 MLD 800 Lahore PLD 2002 Karachi 141

343. The attorney has to act as an agent of the principal -concept explained.

Supreme Court	High Courts
PLD 2005 SC 418 2001 SCMR 1091	2020 CLD 49 Sindh 2007 CLC 500 Peshawar

344. Dower once paid and then snatched will not become civil liability.

High Courts	International Jurisdictions
PLD 2006 Peshawar 189	PLD 2018 (SC AJ&K) 31

345. No limitation runs against inheritance right of a female where she has been defrauded of her right by her family.

Supreme Court
2023 SCMR 1901 PLD 2003 SC 362 2017 SCMR 1476 2014 SCMR 801

346. Causes emanating from different jurisdictions cannot be consolidated in a single proceeding, a civil matter cannot be consolidated with a criminal matter, so also it cannot be consolidated with a family matter.

Supreme Court	High Courts
2023 SCMR 1002	PLD 2012 Lahore 490

347. Once a decree by the Family Court in a suit for maintenance is granted thereafter, if the granted rate for per month allowance is insufficient and inadequate, in that case, according to scheme of law, institution of fresh suit is not necessary rather the Family Court may entertain any such application and if necessary, make alteration in the rate of maintenance allowance.

Supreme Court	High Courts
2016 SCMR 1821	PLD 2018 Lahore 916 2017 YLR 1300 Lahore 2017 CLC Note 104 Lahore 2009 MLD 1427 Lahore

348. Any suit or cause of action which is premature, does not entail dismissal of that cause but it results into rejection under O.VII, R.11 C.P.C and that does not operate as res judicata.

Supreme Court
2005 SCMR 890

349. Maintainability of a suit for partial partition.

Supreme Court	High Courts	International Jurisdictions
1999 SCMR 2325 1993 SCMR 1463	2019 YLR 2679 Peshawar 2016 YLR 1489 Peshawar 2006 YLR 2289 Lahore	AIR 1930 Lahore 286

	2002 CLC 711 2000 CLC 519 Karachi 1999 YLR 2190 Lahore 1979 CLC 230	
--	--	--

350. Guidelines for partition of property.

High Courts
2023 PLJ Peshawar 94 PLD 2016 Peshawar 8

351. In case where a co-sharer in possession on a portion of joint property is dispossessed by another co-sharer, the remedy for the aggrieved person is either to bring a suit for possession under Section 9 of the Specific Relief Act 1877 or possession through partition before the appropriate forum.

Supreme Court	High Courts
2009 SCMR 688 1999 SCMR 2325	2014 YLR 2046 2004 YLR 322

352. Under the law service by publication is good service even in respect of parties living abroad.

Supreme Court
2023 SCMR 1660 PLD 2010 SC 993 PLD 2003 SC 500 1991 SCMR 932

353. The service of Talb-e-Ishhad is a pre-requisite for proof of a pre-emption case.

Supreme Court
2023 SCMR 1113
PLD 2020 SC 233
2013 SCMR 721

354. An executing court cannot go beyond the decree except where the decree was void, nullity, inexecutable or passed without jurisdiction.

High Courts
PLD 2023 Quetta 51
PLD 2023 Peshawar 78
2005 CLD 1003 Lahore
1999 YLR 2282 Karachi
PLD 1970 Dacca High Court 743

355. Once rights of the parties were settled by trial court and later affirmed by the appellate Court, then objection petition during the execution proceedings on the same ground is not only misconceived but should be summarily dismissed enabling the decree holder to reap the fruits of decree.

High Courts	International Jurisdictions
2022 CLC 163 Peshawar	AIR 1960 SC 388
PLD 1974 Karachi 2126	AIR 1935 Lahore 549
PLD 1968 Lahore 144	

356. No embargo is placed on the executing court to allow amendment in the execution, as long as it causes no prejudice and the intended amendment does not travel beyond the decree.

High Courts
2019 YLR 2924 Lahore PLD 1972 Karachi 617 PLD 1967 Dacca 512

357. Order under Section 12 (2) CPC was not appealable and only remedy of revision was available.

Supreme Court	High Courts
1992 SCMR 1908 1992 SCMR 917	2017 MLD 567 Islamabad PLJ 2011 Lahore 745 2004 YLR 1066

358. Company is a separate juristic person distinct from its shareholders or directors.

Supreme Court	High Courts
PLD 1967 SC 564	2020 CLD 894 Islamabad PLD 2020 Islamabad 52 2019 CLD 1 2013 CLD 1280 PLD 2011 Karachi 484 2010 CLD 963 Karachi 2001 YLR 58 Karachi 2002 CLD 157 1995 CLC 299 1982 CLC 2387

359. Jactitation of marriage is an unwarrantable assertion, that marriage exists. In fact, it is a false pretence of being married. Distinction between dissolution of marriage and jactitation explained.

High Courts	International Jurisdictions
2021 YLR 43 Islamabad PLD 2021 Islamabad 105 PLD 2006 Lahore 260 2004 PCr.LJ 1071 (Federal Shariat Court) 1985 CLC 1229 Lahore PLD 1976 Quetta 97 PLD 1974 Lahore 78	2013 MLD 16 Supreme Court (AJ& K)

360. Distinction between rejection of plaint and dismissal of suit.

Supreme Court
PLD 2012 SC 247

361. Attachment before judgment is a preventive not a penal action. The object is to prevent an attempt on the part of the defendant of defeating the realization of the decree which may ultimately be passed against him.

Supreme Court	High Courts
PLD 1962 SC 119	PLD 2020 Karachi 660 2020 CLD 238 Karachi PLD 2011 Karachi 605

362. Pre-conditions for attachment before judgment explained.

High Courts	International Jurisdictions
PLD 2020 Sindh 385	AIR 1946 Sindh 166

2015 YLR 2674	
PLD 2011 Karachi 542	
1997 CLC 2003	
PLD 1979 Karachi 734	

363. The period of limitation for grant of past maintenance shall be regulated by Article 120 of the Limitation Act and it can be granted for a period of six years.

Supreme Court	High Courts
PLD 2006 SC 457	PLD 2006 Peshawar 96
	PLD 2005 Peshawar 195

364. Document of amicable partition unregistered and unstamped cannot be relied upon for purpose of proving partition.

Supreme Court	High Courts
1999 SCMR 2182	2003 YLR 362 Lahore
1973 SCMR 151	2003 MLD 140 Lahore

365. A Reference can be filed on a question of law and in cases where the decree is not subject to appeal.

High Courts
PLD 2009 Lahore 67
PLD 1987 Lahore 558

366. Territorial jurisdiction for filing a petition under Section 270 of the Succession Act, 1925.

High Courts
PLD 2022 Sindh 505
PLD 2015 Balochistan 132

367. Issuance of letter of probate or succession certificate cannot be treated as declaration with regard to legal heirship or title of the properties.

High Courts
PLD 2022 Sindh 505 2017 CLC Note 145 Sindh 2015 CLC 282 Peshawar

368. Status of nominee for succession certificate.

Supreme Court	High Courts
2004 SCMR 1219 PLD 1974 SC 185	PLD 2020 Sindh 263 2012 CLD 850 Peshawar

369. Property for which succession certificate can be issued.

Supreme Court	High Courts
PLD 1991 SC 731	2019 PLC (C.S.) 1467 Lahore 2014 CLC 126 Peshawar PLD 1994 Karachi 237

370. Right of Legal heirs to challenge mutation of inheritance which remained unchallenged during the life time of their predecessor.

Supreme Court	High Courts
2020 SCMR 352 2017 SCMR 1476 2015 SCMR 869 PLD 2012 SC 501 2009 SCMR 693 1998 SCMR 2674 PLD 1990 SC 1	PLD 2023 Peshawar 12

371. Execution of a decree is to be governed by residuary Art. 181 of Limitation Act, 1908. Limitation for subsequent application is six years.

Supreme Court	High Courts
2022 SCMR 958	PLD 2023 Lahore 157 PLD 2023 Peshawar 19

372. Procedure for execution of pre-emption decree and its limitation explained.

Supreme Court
2022 SCMR 958

373. Application for setting aside ex-parte decree dismissed in default. Limitation for restoration of parent application would be governed by Article 181 of Limitation Act providing a period of three years.

High Courts
2006 CLD 1213 Lahore PLD 1985 Peshawar 8 PLD 1971 Karachi 182

374. Legal effect of non-verification of plaint as provided under the law.

Supreme Court	High Courts
PLD 2007 SC 362	2022 MLD 250 Lahore 2022 CLD 1343

375. Meaning of the term “formal defect” and “other sufficient cause”.

Supreme Court	High Courts
2021 SCMR 1775	2022 CLC 1282 Quetta

376. Power of Civil Court to entertain suit relating to agricultural property

High Courts
2008 CLC 43 Peshawar

377. Section. 70 & 70-A of the Cooperative Societies Act, 1925 & jurisdiction of civil court, elucidated.

High Courts	International Jurisdiction
2021 MLD 354 Lahore 2021 CLC 2011 Sindh 2016 CLC 1751 Lahore PLD 2012 Sindh 425 PLD 2009 Karachi 38 1998 MLD 1850 Lahore PLD 1995 Karachi 399 1990 MLD 25 Karachi	2015 G B L R 346

378. Scope of an Agreement to sell written on plain paper & no particular mentioned.

Supreme Court	High Courts
2021 SCMR 686 PLD 1970 SC 465	2021 CLC 1351 Lahore 2006 MLD 465 Lahore

379. Courts are empowered to mold relief in order to do complete justice and to avoid multiplicity of proceedings.

Supreme Court
PLD 2022 SC 73 PLD 2021 SC 715 2011 SCMR 80 2010 SCMR 984 2006 SCMR 688 PLD 1986 SC 35 PLD 1985 SC 46 PLD 1978 SC 220

380. Whether grievance redressal mechanism, provided under the public Procurement Regulatory Authority Act, ousts the jurisdiction of other courts when a person is aggrieved of the act of procuring entity?

Supreme Court	High Courts	International Jurisdiction
PLD 2011 SC 44	2023 MLD 674 Islamabad PLD 2022 Sindh 521 PLD 2022 Balochistan 103 2011 MLD 1876 Karachi PLD 2016 Sindh 479	PLD 2023 High Court (AJK) 41



CRIMINAL

(CRIMINAL)

1	Abduction and it's proof.	1
2	Production before magistrate is necessary after arrest.	1
3	Principles for bail on Medical Grounds.	1
4	Lesser and graver punishment and prevailing of the one.	1
5	Evidentiary value of confession of one accused against co-accused.	2
6	A Magistrate empowered under section 30 can hold trial and pass sentence for an offence punishable under section 324/336 PPC.	2
7	Mode and manner of temporary custody and confiscation of a vehicle under KP Control of Narcotic Substances Act, 2019.	2
8	Effect of unexplained delay in lodging of FIR.	2
9	Direction issued by the High Court to the Trial Court for concluding the trial instipulated period is aradministrative direction.	3
10	Effect of failure on the part of prosecution to produce and prove an entry with regard to storage of articles of the case property in Register No. 19 of Malkhana of Police Rules 1934	3
11	Legal effect of recovery of Narcotics from a place accessible to general public.	3
12	Effect of non-association of private person as witness in narcotics cases.	3
13	Conscious knowledge of Narcotics & it's effect.	3
14	Mechanism for recovery of vehicle not investigated by IO in narcotics case.	4
15	Non-examination of sample bearer---it's legal effect	4
16	When chain of safe custody of narcotics is fully established; non-production of record of register No. 19 & 21 of the Police Rules, 1934 and D.D is not detrimental to prosecution case.	4
17	Accused once arrested deemed to be arrested in all casesdiscussed.	4
18	Judicial and extra-judicial confessionshould be taken into consideration in toto.	4
19	Exercising the right of self-defense-explained.	5
20	In absence of any other evidence, Judicial confession alone can be made a basis for conviction.	5
21	Whether order of acquittal, passed by the accountability court under the National Accountability Ordinance, 1999 can be alteredby the High Court U/A. 199 of the Constitution?	5
22	Whether an order of acquittal, passed by an accountability court under the NAB Ordinance, 1999 can be challenged by a private complainant?	5
23	Directory or mandatory nature of Control of Narcotics Substances (Government Analysts) Rules, 2001.	6

24	Whether order for restoration of possession, passed u/s. 7 of the Illegal Dispossession Act, 2005 is revisable under Section 439 of Criminal Procedure Code?	6
25	What is the stage of commencement of trial under the Illegal Dispossession Act, 2005?	6
26	What cannot be achieved directly under the law, cannot be achieved indirectly-explained.	6
27	Principles for grant of bail in cases of huge recovery of narcotics case where sample were sent to FSL for chemical analysis after a delay of 4/5 days.	7
28	In case of confiscation of the vehicle issuance of notice under Section 33 (proviso) of the Control of Narcotics Substances Act, 1997 is mandatory.	7
29	"Theft of insured vehicle"	7
30	Case law regarding appeal for enhancement of sentence provided under the CNSA, 1997	8
31	The testimony of chance witness in criminal cases.	8
32	Meaning & concept of a "Chance witness".	8
33	Who will cross examine a hostile witness?	8
34	Effect of delayed confession of a female accused.	8
35	Value of statement of the complainant, being the sole eye-witness for conviction.	9
36	Intrinsic value of the evidence will not be affected by minor or insignificant variations.	9
37	Mode and manner of conducting criminal proceedings U/S 476 CrPC read with Ss.463, 468 and 471 P.P.C.	9
38	Interested witness and its explanation.	9
39	Effect of delayed sending of weapon of offence and crime empties to FSL.	10
40	Effect of non-sending of recovered empties to FSL.	10
41	Value of testimony of a hostile witness.	10
42	Circumstantial evidence should be so inter-connected as to form a continuous chain.	10
43	Substitution in the case of a single accused is a rare phenomenon in criminal justice.	10
44	Whether Sections 517, 518 or 519 & 520 CrPC are revisable or appealable?	11
45	Value & worth of circumstantial evidence.	11
46	Can conviction be made on retracted confession?	11
47	Can the High Court proceed against the incompetent I.O?	11
48	Conviction, based on circumstantial evidence.	11
49	How question of the insanity of an accused person is to be adjudged?	12
50	Effect of civil suit and FIR regarding the jurisdiction of trial court under Illegal Dispossession Act,2005.	12
51	Case law on: Section 222,234 read with 239 of the Code of Criminal Procedure,1898.	12
52	Common intention----How it shall be adjudged & evaluated.	12

53	Conviction for an offence for which the accused was not charged.	12
54	Application for declaring a witness as hostile, cannot be allowed at a belated stage of the proceedings.	13
55	Grant of bail to accused on the ground of statutory delay not mandatory.	13
56	Procedure for conducting trial under Illegal Dispossession Act, 2005.	13
57	Punishment for abettor is contingent on conviction of the principal accused.	13
58	Grounds for reduction of sentence in narcotic cases.	13
59	Minor discrepancies in cross examination could not mar the prosecution case.	14
60	Grant of bail in hardship cases.	14
61	Production of Register No.19 of Police Rules 1934 is mandatory during trial in narcotics cases.	14
62	Referee Judge to agree with the opinion of one of the Judges of the Division Bench or to form his own.	15
63	Evidentiary value of confession retracted by the accused after two years in his statement under Section 342 CrPC.	15
64	Trial in absentia (S. 87.S. 88. S. 353, S. 512, Art.47.)- explained.	15
65	Court is under obligation to assess evidence led by prosecution independently without being influenced from acquittal or conviction of co-accused, whose trial was conducted earlier.	15
66	Mode and manner of investigation into cognizable cases U/S 156 Cr.P.C.	16
67	Cognizable and non-cognizable offences---- distinction and procedure	16
68	Transposition of statement in subsequent trial u/Art. 47Qanun-e-Shahadat Order, 1984.	16
69	Effect of absence of accused at the time of announcement of BBA on merits.	17
70	Scope of improvement made by witness in his previous statement.	17
71	Chairman NAB can freeze the property, during inquiry, before filing of the Reference.	17
72	How much time period is required for recording of confessional statement?	17
73	In case of "Fasad-fil-Arz" despite a compromise by all the legal heirs, accused can be punished under Section 311 P.P.C	17
74	Transfer of case due to apprehension of danger to life and liberty at the hands of complainant u/s. 526 Cr. PC 1898.	18
75	Whether offence committed due to personal enmity comes within definition of Terrorism?	18
76	Whether forfeited amount of surety bond can be reduced?	18
77	Grant & cancellation of bail during trial-elucidated.	19
78	Prosecution has to prove its case and it cannot get any benefit from certain admissions made by the accused.	19

79	Whether the role of prosecution is at par with investigation?	19
80	Principles for grant of bail to a female accused having a suckling baby charged in narcotics case.	19
81	Recovery made at joint pointation of several accused is not admissible in evidence.	19
82	whether privileges of juvenility to a juvenile accused would still be available to him during trial, when he is no more a Juvenile?	20
83	Recovery of the dead body on the pointation of the accused alone is sufficient for the conviction of the accused.	20
84	Giving accused into police custody after recording his confession before the Magistrate cannot be a sole ground for discarding his confessional statement.	20
85	To err in granting bail is better than declining.	21
86	Mere involvement of cheque of large amount is hardly a ground for the refusal of bail.	21
87	Conviction of an accused cannot be based solely on circumstantial evidence.	21
88	Statement of accused U/S 342(2) CrPC shall be signed by the accused.	21
89	Principles for grant of bail on account of old age.	22
90	Bail to an accused sitting on front seat of a vehicle involved in narcotics.	22
91	Prosecution is under bounden duty in narcotics case to establish unbroken chain of the recovery of contraband from spot to P.S and from P.S onward to FSL.	22
92	Considering statement of accused u/s 161 Cr.P.C at bail stage.	22
93	Adverse inference of withholding evidence goes against the party who has failed to produce the same.	23
94	An accused (husband) cannot be convicted on the sole basis of his failure to explain the death of his wife.	23
95	If a complaint, filed under the Illegal Dispossession Act 2005, is dismissed, it cannot debar the remedy before a Civil Court of competent jurisdiction.	23
96	Whether Intra Court Appeal (ICA) is maintainable against an order, passed by High Court in its Revisional Jurisdiction.	23
97	Court can cancel a bail with or without issuance of a notice while exercising its Suo motu power.	24
98	Whether delayed confession can be made basis for conviction?	24
99	In absence of ocular account, what would be the mode of appreciation of evidence in a criminal case?	24
100	Delegation of power by the Chairman NAB to any other officer of the NAB-explained.	24
101	Who is Authorized person” for filing a complaint within the meaning of section 3 of the High Treason (Punishment) Act, 1973 and S.5 of the Criminal Law Amendment (Special Court) Act, 1976?	25

102	Investigation by complainant while functioning as Investigation Officer in a narcotics case is against the concept of an independent investigation.	25
103	Whether Offence committed by Army personnel would be tried by the Court Martial or ordinary court of criminal jurisdiction?	25
104	Fact of last seen must be mentioned at the time of reporting the crime.	25
105	Legal effect of the omission to ask question in the statement of accused under section 342 Cr.P.C “Do you want to add anything else?”.	26
106	Grant of bail and the concepts of Cross-versions and aggressor & aggressed upon.	26
107	Entries in Register No.19 (Malkhana register) and R.21 of Police Rules 1934-explained.	26
108	When case of the prosecution is established through ocular account, mere non-recovery of blood from the spot is of no avail to the defense.	26
109	Exclusion of jurisdiction of High Court in bail matters under the National Accountability (Amendment)Act, 2022.	27
110	Before passing any order for preliminary attachment/Interim attachment u/s 145(1) Cr. PC, Court is under legal obligation to record evidence or to hold an inquiry u/s 145(4) Cr. PC.	27
111	Non- availability of certificate on the statement of accused U/S 342 Cr.P.C is an illegality or irregularity?	27
112	Guidelines for remanding of criminal cases.	28
113	Non-proving of motive is of no consequence, if prosecution case is established through ocular account.	28
114	Transposition of the statements of deceased PWs under Article. 47 of the Qanun-e-Shahadat Order, 1984.	28
115	Quality of evidence is to be considered and not the quantity in criminal cases.	29
116	Substitution in the case of a single accused is a rare phenomenon in criminal justice.	29
117	Prosecution is bound to prove mode and manner of the occurrence as narrated during the course of proceedings.	29
118	Alteration of sentence from Section. 302(b) to sec. 302(c) of PPC on ground of cross-version cases.	30
119	Bail to an accused being 70 years of age, charged u/s 337-D PPC.	30
120	Testimony of victim alone is sufficient for conviction in a rape case.	30
121	Effect of retraction of confession before Magistrate.	30
122	The post “Station Clerk” also include a Moharrir under r.22.3 of the Police Rules,1934.	30
123	Appreciation of Evidence in cases falling u/s 377, 377-A & 377-B r/w S. 53 of KPK Child Protection and Welfare Act, 2010.	31
124	Essential conditions for a child to appear and testify as a witness under article 3 of the QSO, 1984.	31

125	Effect of non-conducting of DNA test in cases U/Ss. 377, 376 PPC r/w S. 53 of KPK Child Protection and Welfare Act, 2010 established through ocular account.	31
126	Extent of revisional jurisdiction of the High Court in interference with the order of the trial court refusing to acquit the accused u/s 265-K CrPC.	31
127	Absconson under section 87 & 88 Cr. PC-explained.	32
128	When case of the prosecution is established through ocular account, non sending of empties to the FSL loses its significance.	32
129	Interim order passed under section 7 of the Illegal Dispossession Act, 2005; can it be questioned in writ petition?	32
130	Common intention-elaborated.	32
131	Case law regarding convictions in cyber-crimes.	33
132	Appeal of Juvenile & major accused, decision through a consolidated judgment	33
133	Scope of last seen evidence.	33
134	Scope of analysis under rule 6 of the CNSA (Govt. Analysts) Rules, 2001.	33
135	Effect of two versions of prosecution in narcotics cases.	33
136	Protocols that are to be observed while sampling.	34
137	Recovery not proved; can conviction be based on the evidence of eye witness?	34
138	Res gestae and its application in criminal law.	34
139	Legality of statement of witness who was neither in the calendar of witnesses nor his statement u/s 161 CrPC was recorded.	34
140	Concept of Solitary Confinement.	34
141	Principles for appreciation of evidence in cross-version criminal cases.	35
142	“Blunt Trauma, it’s causes and effects-elaborated.	35
143	Any omission or short coming in charge will not vitiate the trial.	35
144	Remedy available to an aggrieved person under section 22(A) (6) CrPC qua directions given in NJPMC.	35
145	Meaning & concept of “Income beyond known source” under accountability laws.	36
146	De-freezing of Bank account in NAB cases. Right to life and property is to be protected.	36
147	It is better that ten guilty persons be acquitted rather than one innocent person be convicted-elucidated.	36
148	Grant of remission against explicit bar placed under the provisions of S.21-F of the ATA ,1997.	36
149	Case Law on Rule-140 of the Prison Rules 1978	37
150	Case Law on S.401 CrPC (Remission/suspension of sentence).	37
151	Effect of Lodging of FIR after medical examination.	37
152	Recording of evidence through audio video Link in criminal case.	37
153	Scope of availing both ordinary and special remissions simultaneously.	38

154	Competency of Police Officer ASI to make search, seizer and arrest under the CNSA 1997 in case of prior information.	38
155	When no case is made out from the record of the case then charge is not to be framed under the governing provision.	38
156	Circumstances under which FIR can be quashed.	39
157	Effect of acquittal by Special Judge Custom, while adjudication is pending before Custom Authorities.	39
158	Evidentiary value of police official/officer as recovery witness under the CNSA 1997.	39
159	Importance of recovery memo in CNSA cases.	39
160	Initial burden of proof lies on the accused under section 187 of the Customs Act, 1969.	40
161	Bail can neither be recalled nor granted when trial is near to conclusion.	41
162	Principles laid down in Section 55, 107, 109 & 151 Cr.P.C.(Preventive measures)-explained.	41
163	Findings of the Court recorded in bail granting order can be expunged by the High Court.	41
164	Whether section 21 of the Control of Narcotic Substances Act, 1997 is directory or mandatory in nature.?	41
165	Statutory delay per se cannot be made a sole ground for the grant of bail.	42
166	Inspection of secret cavities in a vehicle involved in narcotics cases.	42
167	Legal effect of a conviction made on one count leaving the other counts mentioned in the charge.	43
168	First Information Report by itself is not a substantive piece of evidence unless its contents were affirmed on oath and the maker thereof was subjected to the test of cross-examination.	43
169	Retracted confession can form basis for conviction if found voluntary and truthful.	43
170	Case law on section 18-B and 22-B of the Emigration Ordinance, 1979.	43
171	Effect of minor discrepancies in narcotics cases.	43
172	Determination of competent forum/court for depositing Diyat amount.	44
173	Mode and manner for safe custody of narcotics from place of occurrence to the malkhana of police station and its further transmission explained.	44
174	CNSA, 1997 ----A stringent law in its application.	44
175	Effect of Order passed by Special Courts under CNSA, 1997, impugned via appeal or revision.	44
176	Can benefit of Section 382 B CrPC be given to convicts under Section 561 A CrPC.	44
177	Case law on section 429 CrPC (when number of appeal court judges are equally divided)	45
178	Scope of an appeal against acquittal under NAB Ordinance, 1999.	45

179	Determination of age under Juvenile Justice System Ordinance 2000 and J.J.S. Act 2018.	46
180	Importance of production of police official/material witness in narcotics Cases.	46
181	Re-testing of samples in case of a deficient report prepared by the Government analyst.	46
182	Unexplained delay in lodging of FIR.	46
183	Bail in cases where offence falls within non-prohibitory clause of section 497 CrPC.	47
184	Admissibility of an audio tape or video in evidence before a court of law and the mode and manner of its proof.	47
185	Legality of refusal of the chemical examiner to report on first sample.	47
186	Evidentiary value of statement of an eye witness having close relationship with both the accused and deceased.	47
187	Parameters of re-investigation-elucidated.	48
188	Evidentiary value of statement on oath under section 340(2) Cr.P.C and defense evidence against the prosecution evidence.	48
189	Consequences where complainant reported the matter but subsequently became an accused.	48
190	when case of prosecution is not established through ocular account, the circumstantial evidence, how strong it may be, is not sufficient for conviction of the accused.	48
191	How accused are charged jointly under section 239 of the Code of Criminal Procedure, 1898?	48
192	Can dying Declaration be the sole ground of conviction?	48
193	Whether delay can be condoned in an appeal against acquittal?	49
194	Procedural defect regarding retracted confession for joint pointation of dead body.	49
195	Suspension of sentence during pendency of appeal under section 426 Cr.P.C.	49
196	Effects of previous conviction when proved.	49
197	Old Age Convicted Person is entitled to be released on Probation.	50
198	Case law on videography in all cases of recovery of narcotics	50
199	Principles for grant of bail in narcotics cases.	50
200	Case law on Federal Investigation Agency (FIA) Act, 1974.	51
201	Case law regarding Accountability Laws.	51
202	Case law regarding Double Punishment (Double Jeopardy) and Protection from Self Incrimination.	51
203	Case law regarding Cognizance of offences by Magistrate u/s 190 Cr. PC	52
204	Whether FIA has the jurisdiction to proceed in corruption cases?	52
205	Inference cannot be drawn against an accused in a criminal case.	52
206	Confessional statement could not be used as substantive evidence of fact when there was unexplained delay in recording of same.	53
207	How section 494 PPC is non-cognizable?	53
208	Grounds for Reduction of Sentence.	53

209	Superdari in narcotics cases.	53
210	Scope of margin of error in determination of age of accused through ossification test.	53
211	Whether there is a distinction between admissibility and proof? Whether a report submitted u/s 510 Cr.PC. which is per-se admissible is required to be proved	54
212	Whether under Section 6 of Juvenile Justice System Act, 2018 the statutory period of 6 months for grant of bail shall start from the date of trial?	54
213	Extent of Revisional Jurisdiction of the High Court U/S 435/439 CrPc, regarding interference with the order of the trial court refusing to acquit an accused u/s 265-K Cr. PC.	54
214	Suspension of sentence in terrorism cases.	55
215	Can a compromise be affected in offences u/s 7 ATA-1997?	55
216	Can remission of sentence be allowed in conviction u/s 7 ATA 1997?	55
217	Whether provisions of ATA would be attracted in case of murder of a Police officer/ Army personnel in uniform but not on official duty?	55
218	Whether anti-terrorism court can give observation on bail stage and delete ATA offence and send the case to ordinary court?	55
219	Land mark Judgments (national & international) regarding contempt of court proceedings.	56
220	Can contempt petition be withdrawn or disposed of?	56
221	Contempt proceedings cannot be initiated against a person who is not a party to litigation.	56
222	Conditions for Consecutive running of sentences.	56
223	Abscondence per se is not a ground for refusal of bail but it is indeed one of the factors which could be taken into consideration by court of law.	56
224	Meaning & concept of a "Chance witness"-explained.	57
225	Failure to cross-examine a witness would result in a fact to be proved is applicable to civil cases not to criminal cases	57
226	If only a single doubt in the mind of a prudent person is available, then such benefit is to be extended to an accused not as a matter of concession but as of right.	57
227	Burden shifts to the accused under Article 121 of the Qanoon-e-Shahadat Order, 1984 when a prima facie case is made out against him by the prosecution.	57
228	Mere possession of forged notes is not an offence under Section 489 C PPC.	57
229	Concept of joint cross-examination is not recognized by the law.	58
230	A criminal complaint can be filed by a company but it should be represented by a natural person.	58
231	The concept of fundamental rights available to prisoners-explained.	58
232	Prisoner has a right to sue in respect of torts committed in a prison.	59

233	Principles for Custody and disposal of narcotic substance.	59
234	Principles to be considered in decision of appeal against acquittal.	59
235	Abscondence is a strong piece of corroborative evidence of the other direct and circumstantial evidence in the case.	59
236	Accused is entitled for benefit of an extenuating circumstance while deciding the quantum of sentence.	59
237	Value of testimony of Interested witness.	60
238	Quality of evidence is required and not quantity of witness.	60
239	If the eye-witnesses remained firm and straight-forward in their testimony before the court then further corroboration from circumstantial evidence would not be required	60
240	Police witnesses are as good witnesses as any other witness.	60
241	The evidence has to be weighed not counted in narcotics cases.	60
242	Value and worth of scientific evidence.	61
243	Procedure and precautions of confession.	61
244	Discretion in the matter of sentencing has been given to the courts, which must be exercised judiciously.	61
245	When there were two aspects of the case, the one favorable to accused, would be considered.	61
246	Juvenility of an accused/person alone was not sufficient for his/her acquittal.	61
247	Term 'terrorism' has wide meaning and for the purpose of assessment its parameters are to be seen.	62
248	Criminal trial of an accused must be conducted with utmost fairness.	62
249	Case involving more than one accused, name of the accused or his lawyer who was cross examining the witness must be mentioned by the court.	62
250	Omission to supply the requisite material to accused would vitiate the whole trial.	62
251	The prosecution is not bound to produce all the witnesses, cited in Calander but copies of statement of such witnesses recorded under S.161, Cr.P.C. are to be provided to the accused.	62
252	Jurisdiction for trial of an offence under KPK child protection and welfare act 2010 and JJSA 2018- explained	63
253	Exculpatory part of confession may be separated from inculpatory part of confession.	63
254	Conviction can be based on sole confessional statement, provided the same was voluntary and true.	63
255	It is well entrenched principle of law that even if an accused does not take the plea of self defense and it is discernible from the prosecution evidence then, benefit of the same is to be given to the accused.	63
256	Whether recall of bail order is possible due to overlooking of the record by the court?	63
257	Can a person undergoing life imprisonment be released on the basis of remissions granted by the Provincial Government?	64

258	Provincial Government has no power to suspend or remit any sentence awarded if committed on the pretext of Karo Kari, Siah Kari or similar other customs or practices.	64
259	Courts normally do not consider plea of alibi at bail stage but this is not a rule of universal application.	64
260	Testimony of police officials was as good as any other private witness, unless it was proved that the police officials had animus against an accused.	64
261	Section 250 of the Code of Criminal Procedure does not apply to proceedings under section 107 of the Code.	65
262	Principles for conditions as to sureties-explained.	65
263	The proceedings under section 107, CrPC are not penal but punitive in nature.	65
264	Scope and applicability of the concept of statutory ground of bail in the conclusion of trial.	65
265	Section 23 of the NAB Ordinance is not in conflict with Articles 23 and 24 of the Constitution per se.	65
266	The testimony of a witness cannot be believed or disbelieved simply for the reason that his name appears or does not appear in FIR. Real test is intrinsic value of testimony.	66
267	Applicability of the principle of benefit of doubt to matter of sentence-explained.	66
268	Principles regarding Dying Declaration-elucidated.	66
269	Delay in recording the confessional statement of an accused by itself is not sufficient to adversely affect its validity.	66
270	Under what circumstances normal punishment required to be awarded is death?	66
271	Islamic concept as to Rule of benefit of doubt-explained.	67
272	Pronouncement made in bail matters is always an order and not a judgment and hence can be modified or amended.	67
273	Mode and manner of contempt of court proceedings-explained.	67
274	Domicile and permanent residence are two different concepts.	67
275	How intelligent preference of a minor can be determined?	68
276	Legal effect of omission for impeaching the credit of a witness.	68
277	Date for determining the age of the accused, who claims to be a child, is the date of occurrence and not the date of trial.	68
278	Copying of evidence from one case for record of another case is an illegality.	68
279	Order under S. 3 of Punjab Maintenance of Public Order Ordinance, 1960, cannot be based on conjectures and surmises.	68
280	Representation under S. 3(6) of West Pakistan Maintenance of Public Order Ordinance, 1960 is an alternate remedy but it cannot oust Constitutional jurisdiction of High Court.	69

(CRIMINAL)

1. Abduction and it's proof.

Supreme Court	International Jurisdiction
PLD 2009 SC 814 1993 SCMR 1806	AIR 1972 SC 2661 1950 CriLJ 29 Allahabad AIR 1948 205 Allahabad

2. Production before magistrate is necessary after arrest.

High Courts
2022 MLD 448 Peshawar 2018 MLD 1950 Sindh 2013 MLD 1359 Lahore PLD 2006 Peshawar 1

3. Principles for bail on medical ground.

Supreme Court
2004 SCMR 15 1998 SCMR 1065 2000 SCMR 212 2002 SCMR 282 2004 SCMR 15 2006 SCMR 1225 2007 SCMR 1513 2014 SCMR 1353 2017 SCMR 1194 2019 SCMR 734 2019 SCMR 2027 PLD 1995 SC 58 PLD 2002 SC 546 PLD 2008 SC 438

4. Lesser and graver punishment and prevailing of the one.

Supreme Court	High Courts
PLD 2020 SC 313 PLD 2020 SC 620 2009 SCMR 1188 PLD 2009 SC 777 PLD 2009 SC 709	2019 YLR 677 Sindh PLD 2018 Peshawar 1 2016 PCr.LJ Note 12 Peshawar PLD 2005 Peshawar 62 2016 MLD 48 Lahore

PLD 2006 SC 53	2008 YLR 1616Lahore 2016 YLR 2781 Balochistan 2015 YLR 985Federal Shariat Court 2014 PCr.LJ 1048 Federal Shariat Court
----------------	---

5. Evidentiary value of confession of one accused against - co accused.

Supreme Court	High Courts	International Jurisdiction
1982 SCMR 321 2003 SCMR 1419 2012 SCMR 109	2018 YLR 1629 Peshawar 2019 PCr.LJ 1789	AIR 1952 SC 159

6. A Magistrate empowered under section 30 Cr. Pc has the jurisdiction to hold trial and pass sentence for an offence punishable under section 324/336 PPC. If no, whether High Court will remand the case to the session Judge and from which stage the session court will start proceedings.

Supreme Court	High Courts	International Jurisdiction
2019 SCMR 537 2012 SCMR 193	2011 YLR 2358Lahore	PLD 1991 Federal Shariat Court 66

7. Mode and manner of temporary custody and confiscation of a vehicle under KP Control of Narcotic Substances Act, 2019.

Supreme Court	High Courts
PLD 2020 SC 299 2010 SCMR 1181 2011 SCMR 1471 PLD 2005 SC 160 2003 SCMR 246) PLD 1974 SC 5	2016 PCr.LJ 56 Lahore PLD 2006 167 Lahore

8. Effect of Unexplained delay in lodging of FIR.

Supreme Court
2019 SCMR 1048 2015 SCMR 993 2011SCMR1473 2008 SCMR 6 2007 SCMR 1825

- 9. Direction issued by the High Court to the Trial Court for concluding the trial in stipulated period is an administrative direction.**

Supreme Court	High Courts
PLD 2016 SC 11 PLD 2019 SC 112	2019 PCr.LJ 1164 Sindh 2019 YLR 1971 Sindh

- 10. Effect of failure on the part of prosecution to produce and prove an entry with regard to storage of articles of the case property in Register No. 19 of Malkhana of Police Rules 1934.**

High Courts	International Jurisdiction
PLD 2022 84 Sindh 2021 PCr.LJ 1334 Lahore 2021 YLR 872 Peshawar 2021 YLR 1120 Peshawar 2020 PCr.LJ Note 1Lahore	Deu Bhan Buda vs State of H.P on 23 April, 2015

- 11. Legal effect of recovery of Narcotics from a place accessible to general public.**

High Courts	International Jurisdiction
2019 YLR 2907 Balochistan PLD 2005 Karachi 128 2011 PCr.LJ 723Lahore 2009 YLR 396Lahore 1986 PCr.LJ 2346Lahore	2010 PCr.LJ 1567 Supreme Court (AJ&K)

- 12. Effect of non-association of private person as witness in narcotics cases.**

High Courts
2022 PCr.LJ Note 102Sindh 2022 YLR Note 46Sindh 2017 MLD 288 Balochistan

- 13. Conscious knowledge of Narcotics & its effect.**

Supreme Court	High Courts
PLD 2020 SC 132 2008 SCMR 991 2006SCMR1343	2020 MLD 629 Peshawar 2020 MLD 49 Peshawar

14. Mechanism for recovery of vehicle not investigated by IO in narcotics case.

Supreme Court	High Courts
PLD 2020 SC299 2011SCMR 1471 2010 SCMR 1181	2023 PCr.LJ 164 Balochistan 2021 PCr.LJ 438 Balochistan 2007 YLR 1908 Peshawar

15. Non-examination of sample bearer---its legal effect

High Courts	International Jurisdiction
2023 PCr.LJ 621 Balochistan 2022 PCr.LJ 1610 Peshawar 2021 PCr.LJ Note 87 Sindh 2020 YLR Note 134 Federal Shariat Court 2020 YLR 2639 Federal Shariat Court	2022 YLR 1391 SC (AJ&K)

16. When chain of safe custody of narcotics is fully established, then mere non-placing on records the extracts of register No.19, 21 of the Police Rules, 1934 and D.D would not affect the prosecution case.

High Courts
2022 YLR 632 Lahore 2021 PCr.LJ 1334 Lahore

17. Accused once arrested deemed to be arrested in all cases discussed.

High Courts
PLD 2014 Balochistan 33 1992 PCr.LJ 131Lahore Ali Wazir Case No. BA No. 243 of 2023 Peshawar High Court

18. Judicial and extra-judicial confession should be taken into consideration in toto.

Supreme Court	High Courts	International Jurisdiction
2023 SCMR 139 PLD 2020 SC 620 PLD 2020 SC 201 2012 SCMR 109 2009 SCMR 1232 2009 SCMR 736 PLD 2006 SC 556 2004 SCMR 1808 PLD 2002 SC 643 1999 SCMR 2203 1995 SCMR 1377	2017 YLR 1742 Peshawar PLD 1958 147 Peshawar	2012 GBLR 1 Supreme Appellate Court

PLD 1995 SC 336 1994 SCMR 1504 PLD 1994 SC 879 PLD 1991 SC 520 PLD 1978 SC 200		
--	--	--

19. Exercising right of self-defense, explained.

High Courts
2020 YLR Note 116 Peshawar 2007 YLR 3165 Lahore 2002 YLR 2455 Lahore 1998 PCr.LJ 1316 Lahore 1993 PCr. L J 557 Lahore 1989 PCr.LJ 504 Karachi

20. In absence of any other evidence, Judicial confession alone can be made a basis for conviction when it is found true, convincing and made voluntarily by the accused without any duress or coercion.

Supreme Court
2023 SCMR 139 2015 SCMR 856 PLD 2006 SC 30 2006 SCMR 366 2004 SCMR 1808 2001 SCMR 988 1999 SCMR 2040

21. Whether, without exhausting the alternate remedy of appeal u/s.32 of the NAB Ordinance,1999, an order of acquittal, passed by the accountability court under the Ordinance can be altered, modified or reversed by the High Court while exercising its jurisdiction U/A. 199 of the Constitution?

High Courts
PLD 2018 Sindh 696 2017 PCr.LJ Note 212 Lahore 2008 CLC 1090 Lahore 2017 CLC 375 Lahore

22. Whether an order of acquittal, passed by an accountability court under the NAB Ordinance, 1999 can be challenged by a private complainant?

Supreme Court	High Courts
2012 SCMR 669	PLD 2013 Sindh 357

- 23. Rules of the Control of Narcotic Substances (Government Analysts) Rules, 2001, are directory or mandatory in nature or whether any lapse in compliance with the rules would automatically discard the whole prosecution case.**

Supreme Court

2022 SCMR 1145 2022 SCMR 1097 2020 SCMR 1000 2020 SCMR 474 2020 SCMR 460
--

- 24. Whether an order for restoration of possession, passed u/s. 7 of the Illegal Dispossession Act, 2005 is revisable u/s. 439 of the Criminal Procedure Code, 1898**

High Courts

2022 PCr.LJ 1828 Lahore 2020 PCr.LJ 843 Balochistan 2019 PCr.LJ 563 Islamabad 2015 PCr.LJ 1490 Balochistan 2009 MLD 1162 Karachi 2008 PCr.LJ 141 Lahore
--

- 25. What is the stage of commencement of trial under the Illegal Dispossession Act, 2005? Whether section 7 of the Illegal Dispossession Act, 2005 is applicable after taking cognizance and before framing the charge or after framing of the charge and recording evidence?**

Supreme Court	High Courts
----------------------	--------------------

2000 SCMR 785	2022 PCr.LJ 1603 Sindh 2016 PCr.LJ 672 Islamabad 2016 PCr.LJ 1103 Islamabad PLD 2015 93 Lahore 2015 YLR 715 Sindh 2013 PCr.LJ 953 Lahore 2008 PCr.LJ 719 Lahore 2007 YLR 1657 Lahore
---------------	---

- 26. What cannot be achieved directly under the law, then the same cannot be achieved indirectly, explained.**

Supreme Court

PLD 2011 SC 811 2010 SCMR 312 PLD 2010 SC 1109 PLD 2003 SC 979

- 27. Principles for grant of bail in cases of huge recovery of narcotics case where sample were sent to FSL for chemical analysis after a delay of 4/5 days.**

High Courts
2022 YLR Note 34 Sindh
2021 YLR 841 Peshawar
2014 YLR 632 Sindh
2014 PCr.LJ 1391 Sindh
2018 PCr.LJ 227 Sindh
2016 YLR 359 Sindh
2009 YLR 1275 Sindh

- 28. In case of confiscation of the vehicle issuance of notice under Section 33 (proviso) of the Control of Narcotics Substances Act, 1997 is mandatory.**

High Courts
2014 PCr.LJ 1344 Lahore
2010 PCr.LJ 1145 Quetta
2009 MLD 131 Peshawar
2008 YLR 2370 Peshawar
PLD 2004 485 Karachi
2011 PCr.LJ 342 Peshawar
PLD 2009 625 Lahore

- 29. Case law on: "Theft of insured vehicle"**

International Jurisdiction
United India Insurance Co. Ltd vs Jai Singhvi on 13 September, 2019
Reliance General Insurance Co. vs Mohd. Shafique & Another on 24 October, 2018
The New India Assurance Company vs Permanent Lok Adalat and Another on 23 May, 2013

30. Case law regarding appeal for enhancement of sentence provided under the Control of Narcotic Substances Act, 1997

Supreme Court	High Courts
PLD 2013 SC 361 PLD 2017 SC 671	2022 YLR Note 89 Sindh PLD 2010 498 Lahore

31. The testimony of chance witness in criminal cases.

Supreme Court	High Courts
PLD 2021 SC 600 2017 SCMR 1710 2015 SCMR 1142 2014 SCMR 1197 2003 SCMR 1419 2001 SCMR 424 1997 SCMR 89 1978 SCMR 114 1995 SCMR 896	2019 PCr.LJ 401 Peshawar 2020 YLR 1522 Lahore 2020 YLR 1188 Lahore 2008 PCr.LJ 993 Lahore

32. Meaning & concept of a term "Chance witness".

Supreme Court	High Courts
2017 SCMR 596 2015 SCMR 1142 2020 SCMR 1850	2020 YLR 1685 Peshawar 2020 PCr.LJ 1361 Peshawar 2016 YLR 905 Peshawar 2020 YLR 1188 Lahore

33. Who will cross examine a hostile witness?

Supreme Court	High Courts
1984 SCMR 560	2022 MLD 1740 Sindh 2022 PCr.LJ 1472 Peshawar 2022 YLR 1341 Peshawar 2012 YLR 50 Peshawar 2009 YLR 691 Islamabad

34. Effect of delayed confession of a female accused.

High Courts
2016 YLR 577 Sindh 2018 PCr.LJ Note 144 Lahore 2016 PCr.LJ 1519 Lahore 2013 PCr.LJ 1448 Sindh 2011 YLR 1028 Peshawar

35. Value of statement of the complainant, being the sole eye-witness for conviction.

High Courts
2021 YLR 2194 Peshawar 2018 YLR 1658 Peshawar 2018 YLR 1571 Peshawar 2018 P Cr. LJ 1117 Peshawar 2018 MLD 371 Sindh 2010 YLR 935 Peshawar 2007 MLD 613 Peshawar PLD 2006 102 Peshawar 2005 YLR 901 Peshawar PLD 2004 294 Peshawar

36. Intrinsic value of the evidence will not be affected by minor or insignificant variations.

Supreme Court	International Jurisdiction
PLD 1995 SC 46 2011 SCMR 460 2003 SCMR 884 1995 SCMR 1793 PLD 1977 SC 557	2013 SCMR 480 India

37. Mode and manner of conducting criminal proceedings under section 476 Criminal Procedure Code, 1898 read with Ss.463, 468 and 471 P.P.C.

Supreme Court	High Courts
2006 SCMR 483 PLD 2012 SC 892	2022 PCr.LJ 1393 Islamabad PLD 2014 Peshawar 79 PLD 2005 Lahore 386 2007 MLD 1036 Lahore PLD 1992 Lahore 178 2015 P Cr. L J 1667 Islamabad 2013 PCr.LJ 678 Islamabad 2010 YLR 786 Lahore 2005 YLR 3186 Lahore 1997 MLD 2097 Lahore 1990 PCr.LJ 97 Lahore 1989 PCr.LJ 1299 Peshawar

38. Interested witness and its explanations.

Supreme Court	High Courts
2016 SCMR 274 2012 SCMR 1869 2011 SCMR 429 2010 SCMR 1090	2021 PCr.LJ 705 Peshawar

2009SCMR 536 PLD 2007 SC 223 2007 SCMR 1438 2001 SCMR 1474	
---	--

39. Effect of delayed sending of Weapon of offence and crime empties to FSL

Supreme Court	High Courts
2022 SCMR 1494	2023 PCr.LJ 174 Peshawar 2022 PCr.LJ 1356 Balochistan 2022 PCr.LJ 1615 Lahore 2022 YLR Note 19 Lahore 2020 MLD 649 Lahore

40. Effect of non-sending of recovered empties to FSL.

High Courts	International Jurisdiction
2018 YLR Note 229 Sindh 2016 PCr.LJ Note 3 Peshawar	2012 PCr.LJ 718 SC (AJ&K)

41. Value of testimony of a hostile witness.

Supreme Court	High Courts
PLD 2007 SC 223	2002 PCr.LJ 359 Peshawar

42. Circumstantial evidence should be so interconnected as to form a continuous chain.

Supreme Court	High Courts
2017 SCMR 2026 2017 SCMR 986 2016 SCMR 274 2015 SCMR 155 1999 SCMR 1034 1996 SCMR 188 1992 SCMR 1047	2020 YLR 834 Peshawar 2020 YLR 669 Peshawar 2016 YLR 1291 Peshawar 2020 PCr.LJ 637 Balochistan

43. Substitution in the case of a single accused is a rare phenomenon in criminal justice.

Supreme Court
2017 SCMR 1727 2008 SCMR 1480 2007 SCMR 1427 2010 SCMR 641 2003 SCMR 554 2002 SCMR 1166 1986 SCMR 1225

44. Whether Sections.517, 518, 519 & 520 CrPC are revisable or appealable?

High Courts
2021 PCr.LJ 438 Balochistan 1992 MLD 307 Karachi 2018 PCr.LJ 954 Balochistan PLD 1958 (W. P.) Lahore 212 PLD 1972 548 Karachi

45. Value & worth of circumstantial evidence.

Supreme Court	High Courts
2016 SCMR 274	1990 PCr.LJ 1057Lahore 1968 P Cr. L J 53 Dacca 2017 PCr.LJ 114Lahore

46. Conviction can be made on retracted confession.

Supreme Court	High Courts
2008 SCMR 649 PLD 2007 SC 202 PLD 2006 SC 30 PLD 2005 SC 168	2023 YLR 461Sindh 2021 MLD 729 Balochistan

47. Can the High Court proceed against an incompetent I.O?

High Courts
2021 PCr.LJ 285Sindh 2022 YLR 402Sindh 2019 PCr.LJ 640 Peshawar PLD 2016 Peshawar 21 2007 PCr.LJ 597 Karachi

48. Conviction based on circumstantial evidence.

Supreme Court	High Courts
PLD 2021 SC 362 2020 SCMR 2020	2023 YLR 1204 Sindh 2022 PCr.LJ 1427 Balochistan

- 49. The question of the insanity of an accused person at the time of the occurrence and at the time of the inquiry or trial are independent matters, to be adjudged separately**

Supreme Court	High Courts
PLD 2021 SC 488 2020 SCMR 1862 2012 SCMR 1768 2006 SCMR 1755 PLD 2002 SC 92 1997 SCMR 239 1994 SCMR 1517 1968 PCr.LJ SC 187	PLD 2019 Sindh 96 2011 PCr.LJ 1114 Peshawar PLD 1960 (W. P.) Lahore 111

- 50. Effect of civil suit and FIR regarding the jurisdiction of trial court under Illegal Dispossession Act,2005.**

Supreme Court	High Courts
2017 SCMR 390	2022 MLD 1232 Islamabad 2020 YLR 634 Sindh 2023 YLR Note 9 Sindh 2012 MLD 1652 Peshawar

- 51. Case law on: Section 222,234 read with 239 of the Code of Criminal Procedure,1898.**

Supreme Court	High Courts
2003 SCMR 799 PLD 2009 SC 866 2010 SCMR 1785 PLD 1958 SC 131	2021 PCr.LJ 608 Peshawar 2018 YLR Note 207 Sindh 2014 MLD 1428 Lahore 2010 YLR 1384 Lahore PLD 2004 Karachi 508

- 52. Common intention----How it shall be adjudged & evaluated.**

Supreme Court
PLD 2022 SC 523 PLD 2011 SC 554 PLD 2007 SC 93 2008 S C M R 1086 PLD 2006 SC 87

- 53. Conviction for an offence for which the accused was not charged.**

Supreme Court	High Courts	International Jurisdiction
2006 SCMR 1170 1991 SCMR 1268	2020 PCr.LJ Note 58 Peshawar 2008 YLR 1453Lahore 2006 YLR 2709 Lahore	2018 PCr.LJ Note183 High Court (AJ&K)

- 54. Application for declaring a witness as hostile, cannot be allowed at a belated stage of the proceedings.**

High Courts
PLD 2008 Peshawar 100 PLD 2023 Peshawar 130 2022 PCr.LJ 1472 Peshawar 2021 PCr.LJ 1026 Lahore 2022 YLR 1341 Peshawar

- 55. It is not mandatory to grant bail to accused on the ground of statutory delay, because the delay so occurred in conclusion of trial is not to be counted mathematically.**

Supreme Court	High Courts
2023 SCMR 1131 2016 SCMR 1538 1998 SCMR 897	2023 YLR 1036 Sindh 2022 YLR Note 158 Sindh Unreported Judgment of Sindh High Court Hassan alias Jinn versus. The State Cri. Bail Application No.1289 of 1995.

- 56. Procedure for conducting trial under Illegal Dispossession Act, 2005.**

Supreme Court	High Courts
2012 SCMR 229	2022 PCr.LJ 1603Sindh 2020 PCr.LJ Note 20Sindh PLD 2013 Lahore 1 PLD 2009 Peshawar 70

- 57. Punishment for abettor is contingent on conviction of the principal accused.**

Supreme Court	High Courts
2009 SCMR 517 PLD 2008 SC 697 1999 SCMR 2760 1991 SCMR 2018	1968 PCr.LJ 50 Lahore PLD 1966 Dacca 269 PLD 1961 (W. P.) Lahore 212

- 58. Grounds for reduction of sentence in narcotic cases.**

Supreme Court	High Courts
2007 SCMR 206	2021 PCr.LJ 18 2021 PCr.LJ 738

	2020 PCr.LJ 662 2012 YLR 463 2012 YLR 981 2011 P Cr. L J 636 2010 YLR 441 2009 MLD 1216 2008 YLR 1268 PLD 2002 Lahore200.
--	--

59. Minor discrepancies in cross examination could not mar the prosecution case

Supreme Court	High Courts
2009 SC MR 91 2006 SC MR 180 2003 SC MR 884 2000 SC MR 1758	2020 PCr.LJ 387 2005 YLR 2265 2003 YLR 753 2021 PCr.LJ 150 2020 YLR 1526 2020 MLD 871 2018 YLR 2184 2018 YLRN 272 2018 YLRN 245 2021 YLR 785 2018 YLR 2610 2010 YLR 3111 2008 YLR 2754 2005 PCr.LJ 644 2002 YLR 3620, 1994 PCr.LJ 1730 1986 PCr.LJ 687

60. Grant of bail in hardship cases.

Supreme Court
2019 PCr.LJ Note 76 2018 YLR Note 101 2017 YLR 2451 2016 YLR Note 186 2008 PCr.LJ 736, PLD 2005 Karachi 201 2005 PCr.LJ 1741 2005 PCr.LJ 715 2005 PCr.LJ 147

61. Production of Register No.19 of Police Rules 1934 is mandatory during trial in Narcotics Cases (THE POLICE RULES, 1934 R. 22-70. Register No. XIX; FORM No. 22-70)

High Courts	International Jurisdiction
2021 YLR 872 2021 YLR 1120	Deu Bhan Buda vs State of H.P on 23 April, 2015

2020 P Cr.LJN 1	Amandeep Sharma vs State of Punjab on 18 December, 2018
-----------------	---

62. Referee Judge has to agree with the opinion of one of the Judges of the Division Bench in a criminal appeal or he would be a liberty to form his own independent opinion on the basis of evidence on record.

High Courts	International Jurisdiction
2017 PCr.LJ 1164 Lahore 2016 YLR 1013 Peshawar PLD 2003 Karachi 526, 1998 PCr.LJ 530Peshawar 1996 PCr.LJ 394Peshawar 1983 PCr. LJ 72Lahore 1975 PCr.LJ 957Lahore 1975 PCr.LJ 957Lahore PLD 1971 Lahore 292 PLD 1971 Lahore 708,	AIR 1981 SC 365, 1981 SCR (1) 580 AIR 1971 SC 1836, 1971 SCR 460. AIR 1970 SC 1266, 1971 SCR (1) 31 1972 AIR 1502, 1972 SCR (3) 503 AIR 1952 Ori 37 AIR 1966 Cal 194, 1966 CriLJ 522

63. Evidentiary value of confession retracted by the accused after two years in his statement under Section 342 CrPC.

Supreme Court	High Courts
2006 SCMR 1911	2020 YLR Note 88 2003 PCr.LJ 1264 2014 PCr.LJ 1036 2016 YLR 487

64. Trial in absentia (Section. 87, 88, 353, 512 CrPC & Art.47)

Supreme Court	High Courts
2020 SCMR 293 2008 SCMR 951 2008 SCMR 829 2018 SCMR 71	2020 PCr.LJ 1170 2017 PCr.LJ 582 2013 PCr.LJ 499 1984 PCr.LJ 1977

65. Court is under obligation to assess evidence led by prosecution independently without being influenced from acquittal or conviction of co-accused, whose trial was conducted earlier.

Supreme Court	High Courts	International Jurisdiction
2004 SCMR 1026	2018 YLR Note 43 2011 YLR 1014	Muhammad Rafeek Vs State of Kerala.

		Ali Akbar Alias Nani Vs the State etc
--	--	--

66. Mode and manner of investigation into cognizable cases U/S 156 Cr.PC.

Supreme Court	High Courts
PLD 1997 SC 408 2004 SCMR 868	1999 PCr.LJ 1530 1999 PCr.LJ 924 PLD 1995 Lahore 606 2012 PCr.LJ 606 1997 PCr.LJ 1775 2020 MLD 282 2018 PCr.LJ 590 PLD 2002 Lahore 157

67. Cognizable and non cognizable offences ---- distinction and procedure.

Supreme Court	High Courts
PLD 2007 SC 539	2018 MLD 196 2016 YLR 1279 Peshawar 2014 YLR 2628 Sindh 2012 YLR 828 Lahore 2011 YLR 2647 Lahore 2011 PCr.LJ 268 Karachi 2010 PCr.LJ 45 Peshawar 2006 MLD 1349 Lahore 2005 PCr.LJ 906 Lahore 2005 YLR 1879 Lahore PLD 2001 Karachi 269 2000 PCr.LJ 320 Peshawar

68. Transposition of statement in subsequent trial u/Art. 47 Qanun-e-Shahadat Order 1984

Supreme Court	High Courts
2018 SCMR 71, PLD 2010 SC 642 1968 PCr.LJ 1844 SC	2021 PCr.LJ 1664 Lahore 2019 MLD 740, 2019 YLR Note 91 Peshawar 2018 PCr.LJ 889 2012 PCr.LJ 768

69. Effect of absence of accused at the time of announcement of BBA on merits.

High Courts	International Jurisdiction
PLD 2021 SC 886 2008 MLD 1030 Lahore 2005 YLR 1407Lahore 1999 YLR 455 Lahore 1988 PCr.LJ 917 Lahore	2017PCr.LJ 819 Shariat Court (AJ&K)

70. Scope of an improvement made by witness in his previous statement.

Supreme Court	High Courts
2019 SCM R 631 2018 SCM R 772 2008 SCMR6	2021 YLR Note 71Lahore 2019 MLD 1474 Lahore 2016 PCr.LJ 491Lahore 2008 YLR 1755Lahore 2017 MLD 883Peshawar

71. Chairman NAB can freeze the property, during inquiry, before filing of the Reference.

High Courts
2012 PCr.LJ 1950, PLD 2011 Islamabad 25 2010 PCr.LJ 579 Karachi 2010 YLR R 2766 Karachi

72. How much time period is required for recording of confessional statement.

Supreme Court	High Courts
2010 SCMR 55, 1980 SCMR 654, 2016 SCMR 274,	PLD 1971 Lahore 850, 2021 YLR 2366, 2020 MLD 2039, 2019 PCr.LJ 457, 2019 YLR 318, 2019 PCr.LJ 1014.

73. In case of "Fasad-fil-Arz" despite a compromise by all the legal heirs, accused can be punished under section 311, P.P.C

Supreme Court	High Courts
2013 SCMR 271, PLD 2009 SC 768, 2007 SCMR 610, 2005 SCMR 599, 1996 SCMR 906, 1996 SCMR 906,	PLD 2019 Balochistan 47 PLD 1996 Quetta 56, PLD 1992 Lahore 75.

74. Transfer of case due to apprehension of danger to life and liberty at the hands of complainant u/s. 526 Cr. PC 1898.

Supreme Court	High Courts
PLD 2004 SC 362 PLD 1990 SC 705 1970 SCMR 536 PLD 1973 SC 327	2020 MLD 1071, 2018 YLR 1546 2012 PCr.LJ 1314, 2011 YLR 1493, 2009 MLD 22, 2000 PCr.LJ 1217, 1988 PCr.LJ 400

75. Whether offence committed due to personal enmity comes within definition of Terrorism?

Supreme Court
PLD 2020 SC 61 2020 SCMR 1422 PLD 2020 SC 427 2021 SCMR 136

76. Whether forfeited amount of surety bond can be reduced?

Supreme Court
PLD 2011 SC 116, 2009 SCMR 834, 2007 SCMR 575, 2004 SCMR 1541, 2004 SCMR 211, 2003 SCMR 929, 2000 SCMR 312, 1999 SCMR 968, PLD 1997 SC 267, 1990 SCMR 1092, 1990 SCMR 227, 1990 SCMR 1313, 1994 SCMR 690, PLD 1995 SC 348, 1996 SCMR 244, 1996 SCMR 995, PLD 1997 SC 406, 1997 SCMR 1983, PLD 1995 SC 348, PLD 1963 SC 47.

77. Grant & cancellation of bail during trial, elucidated.

Supreme Court
2021 SCMR 176, 2011 SCMR 1619 2007 SCMR 1798, 2007 SCMR 1857 1996 SCMR 931, 1992 SCMR 1418, PLD 1989 SC 585, 1980 SCMR 203.

78. Prosecution has to prove its case beyond reasonable doubt and it cannot get any benefit from certain admissions made by the accused during the course of trial. However, when the defense takes a specific plea, then liability shift to the defense to prove the alleged plea.

Supreme Court	High Courts
PLD 2021 SC 488 PLD 2020 SC 201 PLD 2020 SC 523 2013 SCMR 383 2006 SCMR 1139	2021 MLD 183, 2020 PCr.LJ 1621, 2013 PCr.LJ 1858 Peshawar 2018 YLR Note 41, 2008 YLR 2754

79. Role of Prosecution whether at Par with Investigation

High Courts
2021 YLR 1517, PLD 2015 Lahore 84 2012 P Cr. L. J 1823, 2009 PCr.LJ 1043.

80. Principles regarding grant of bail to a female accused having a suckling baby charged in Narcotics case.

High Courts
2013 MLD 1860 Peshawar PLD 2009 Karachi 33 2001 PCr.LJ 1296 Lahore

81. Recovery made at Joint pointation of several accused is not admissible in evidence.

Supreme Court	High Courts
2019 SCMR 872	2020 MLD 1260

2011 SCMR 1142 1999 SCMR 1744 1980 SCMR 654	2020 YLR 693 2016 YLR 2815 Sindh 2015 MLD 1374 2007 YLR 1506 Karachi 1986 PCr.LJ 224Lahore 1984 PCr.LJ 263 Karachi 1976 PCr.LJ 1462 Karachi 1975 PCr.LJ 172Lahore 2004 MLD 180 Karachi Riaz Vs the State and another Cr. A No. 713-P/2020
---	---

- 82. An accused at the time of occurrence was Juvenile, but, at the time of his arrest he had attained the age of majority; whether the privileges of juvenility would still be available to him during trial, when he is no more a Juvenile?**

High Courts	International Jurisdiction
2004 PCr.LJ 2036 Peshawar 2005 PCr.LJ 1500 Peshawar 2015 YLR 2384 GB Chief Court	2021 YLR 753 (AJ&K) 2012 (5) SCC 201 (2013) 7 SCC 705 (2007) 13 SCC 88 AIR 1982 SC 685, 1982 CriLJ 1000, (1981) 4 SCC 149 1996 AIR 905, 1996 SCC (1) 665 2001 CriLJ 1088.

- 83. Recovery of the dead body of the deceased on the pointation of the accused alone is sufficient for the conviction of the accused.**

Supreme Court	High Courts
2011 SCMR 670 2000 SCMR 1784	2018 PCr.LJ Note 162 Sindh 2011 PCr.LJ 1584 Quetta 2004 PCr.LJ 1479 Karachi 2002 PCr.LJ 1317 Karachi PLD 1959 (W. P.) Peshawar 12

- 84. Giving accused into police custody after recording his confession before the Magistrate, cannot be a sole ground for discarding his confessional statement.**

Supreme Court	High Courts
2021 SCMR 873	2018 YLR 786 Sindh 1977 PCr.LJ 985

85. To err in granting bail is better than declining.

Supreme Court	High Courts
2016 SCMR 18 PLD 1995 SC 34	2022 MLD 329, 2018 YLR 1042, 2017 YLR Note 61, 2007 PCr.LJ 953, 1981 PCr.LJ 685

86. Mere the involvement of huge amount of cheque is hardly a ground for the refusal of bail.

Supreme Court	High Courts
2011 SCMR 1708	2022 MLD 329. 2020 YLR Note 22, 2019 PCr.LJ Note 20, 2019 PCr.LJ 872, 2018 PCr.LJ 469,

87. When there is failure of oral evidence in a criminal case, then the circumstantial evidence, how high or strong it may be, is not sufficient for maintaining conviction of an accused.

Supreme Court	High Courts
2016 SCMR 274, 2005 SCMR 277, 1995 SCMR 599, 1995 SCMR 1345, PLD 1992 SC 1,	2016 PCr.LJ 541, 2013 YLR 2600, 2010 PCr.LJ 1750, 2006 PCr.LJ 1174, PLD 2005 Karachi 146, 1999 PCr.LJ 764

88. Statement of accused U/S 342(2) Cr. PC shall be signed by the accused.

High Courts
1991 MLD 2455 1990 MLD 1158 2001 PCr.LJ 1969 2013 PCr.LJ 943 2006 PCr.LJ 257 2001 PCr.LJ 1762 2000 MLD 595 Karachi 1991 P C r. LJ 617. 2001 YLR 1432, 1999 YLR 717, 1983 PCr.LJ 1648

89. Principles for grant of bail on account of old age.

Supreme Court	High Courts
2022 SCMR 186, 1996 SCMR 861, 1977 SCMR 50, 1969 SCMR 289,	2019 YLR 413, 2014 YLR 2532 2002 MLD 905 1998 MLD 999 2011 YLR 781 2011 YLR 242 2010 YLR 2997 2009 PCr.LJ 788 2002 PCr.LJ 400 1990 PCr.LJ 551 1973 PCr.LJ 397 2009 YLR 1048 2008 PCr.LJ 647

90. Granting bail to an accused sitting on front seat of a vehicle involved in narcotics case.

Supreme Court	High Courts
2019 SCMR 1651	2022 PCr.LJ 659 2020 PCr.LJ 1512 2020 YLR Note 8 2019 MLD 361 2018 YLR 2253 2014 YLR 892 2009 MLD 467, 2008 PCr.LJ 354

91. Prosecution is under bounden duty in narcotics case to establish unbroken chain of the recovery of contraband from spot to P.S and from P.S onward to Forensic Science Laboratory.

Supreme Court	High Courts
PLD 2020 SC 57, 2019 SCMR 608, 2019 SCMR 930, 2018 SCMR 2039, 2015 SCMR 1002, 2012 SCMR 577,	2021 PCr.LJ 631 Islamabad, 2021 PCr.LJ1274 Peshawar, 2020 YLR 1334 Lahore, 2020 MLD 930 Balochistan

92. Considering statement of accused u/s 161 Cr.P.C at Bail stage.

Supreme Court
2015 SCMR 133, 2010 SCMR 1861 2010 SCMR 1221 PLD 1995 SC 34 1994 SCMR 1064

- 93. Adverse inference of withholding evidence goes against the party who has failed to produce the same.**

Supreme Court
2021 SCMR 387, 2020 SCMR 1493, PLD 2011 SC 554 2011 SCMR 646 2010 SCMR 939 2010 SCMR 846 2007 SCMR 437 2006 SCMR 1846 1996 SCMR 308

- 94. An accused (husband) cannot be convicted on the sole basis of his failure to explain the death of his wife.**

Supreme Court
PLD 2019 SC 592 2018 SCMR 787 2017 SCMR 724 PLD 2017 SC 681 2017 SCMR 564 2016 SCMR 1628 2015 SCMR 710 2011 S C M R 941 2005 SCMR 1524

- 95. If a complaint, filed under the Illegal Dispossession Act 2005, is dismissed, it cannot debar the remedy before a Civil Court of competent jurisdiction.**

High Courts
2018 PCr.LJ 1522 2012 PCr.LJ 581 PLD 2012 Sindh 399 2012 YLR 2004 2018 YLR 41

- 96. Whether Intra Court Appeal (ICA) is maintainable against an order, passed by High Court in its Revisional Jurisdiction.**

Supreme Court	High Courts
2021 SCMR 1617 2019 SCMR 939 PLD 2018 SC 828 PLD 2005 SC 45	2021 MLD 2095 2000 CLC 638 1996 PLC 406 PLD 1975 Lahore 1339

PLD 2001 SC 182 PLD 1985 SC 107 PLD 1984 SC 344 PLD 1979 SC 846	2020 CLC 173
--	--------------

97. Court can cancel a bail with or without issuance of a notice while exercising its Suo Motu power.

Supreme Court	High Courts
2000 SCMR 735	2022 MLD 392, PLD 2005 Karachi 616 1990 MLD 303, 1987 MLD 1925, PLD 1991 Lahore 433

98. Whether delayed confession can be made basis for conviction?

Supreme Court	High Courts
2010 SCMR 55. 1999 SCMR 1972. 1999 SCMR 1818 1995 SCMR 1615	PLD 2020 Sindh 473.

99. In absence of ocular account, what would be the mode of appreciation of evidence in a criminal case, based on circumstantial evidence.

Supreme Court	High Courts
2016 SCMR 274 2013 SCMR 1314 2011 SCMR 941 2005 SCMR 277 1999 SCMR 1034	2020 PCr.LJ 1550 2019 PCr.LJ Note 56 2018 MLD 751 2016 PCr.LJ Note 126 2015 PCr.LJ 81 2015 PCr.LJ 1074 2013 PCr.LJ 1813 2007 YLR 625 2016 PCr.LJ 541 2006 PCr.LJ 1174 1999 PCr.LJ 764

100. Delegation of power by the Chairman NAB to any other officer of the NAB, explained.

Supreme Court	High Courts
2019 SCMR 846 PLD 2010 SC 1109 PLD 2011 SC 811	PLD 2017 Peshawar 169 PLD 2014 Sindh 334

101. Who is an authorized person” for filing a complaint within the meaning of Section 3 of the High Treason (Punishment) Act, 1973 and Section.5 of The Criminal Law Amendment (Special Court) Act, 1976.

Supreme Court	High Courts
PLD 1993 SC 473 2013 SCMR 1683	PLD 2020 Lahore 285 2014 PCr.LJ 68

102. Investigation by complainant while functioning as investigating Officer in a narcotics case is against the concept of an independent investigation.

Supreme Court	High Courts
PLD 1997 SC 408,	2022 PCr.LJ 279 Sindh, 2016 MLD 920 Peshawar, 2013 YLR 196 Peshawar, 2011 YLR 2261 Karachi, PLD 2009 Karachi 191, 2010 YLR 2617 Karachi

103. Whether Offence committed by Army personnel would be tried by the Court Martial or ordinary court of criminal jurisdiction.

Supreme Court	High Courts
1999 SCMR 2078 1977 SCMR 499 (2)	PLD 2012 Lahore 194 PLD 2007 Lahore 602 1997 CLC 13 Karachi PLD 1976 Lahore 823

104. Fact of last seen must be mentioned at the time of reporting the crime. Mentioning of the same at a subsequent time would be of no use for the case of the prosecution.

Supreme Court	High Courts
2021 SCMR 873, 2017 SCMR 2026,	PLD 2013 Peshawar 78 2011 YLR 1049Lahore, 2004 MLD 1462Lahore 2002 YLR 3675Lahore 2011 YLR 2504Lahore

105. Legal effect of the omission to ask question in the statement of accused under section 342 Cr. PC “Do you want to add anything else”

High Courts
PLD 1960 (W. P.) Lahore 880 PLD 1960 (W. P.) Lahore 547 PLD 1960 (W. P.) Lahore 687 PLD 1960 (W. P.) Lahore 822 PLD 1956 Lahore 511 PLD 1954 Sind 141 PLD 1953 Lahore 14, PLD 1952 Lahore 374.

106. Grant of bail and the concepts of Cross-versions and aggressor & aggressed upon.

Supreme Court	High Courts
2020 SCMR 677 2017 SCMR 1730 2016 SCMR 1246, 2011 SCMR 606 1996 SCMR 1845	2018 YLR Note 128 Lahore 2018 YLR Note 233 Peshawar

107. Register No.19 (Malkhana register) and Rule.21 of Police Rules 1934, explained.

High Courts	International Jurisdiction
PLD 2022 Sindh 84, 2021 PCr.LJ 1334Lahore 2021 YLR 872Peshawar 2021 YLR 1120Peshawar, 2020 PCr.LJ Note 1Lahore 2019 MLD 468Sindh 2017 YLR Note 298Lahore	Jeet Ram Son of Devi Ram Vs Unknown, on 7 April, 2022, Amandeep Sharma vs State of Punjab on 18 December, 2018.

108. When case of the prosecution is established through ocular account, mere non-recovery of blood from the spot is of no avail to the defense.

Supreme Court	High Courts
PLD 2019 SC 261 2009SCMR471 2007 SCMR 1285 PLD 1974 SC 65	2020 PCr.LJ 763 Balochistan 2017 PCr.LJ Note 110 Lahore 2008 YLR 338 Lahore 2006 PCr.LJ 1853 Lahore 2000 YLR 1580 Peshawar 2019 YLR Note 32 2017 PCr.LJ Note 7 Sindh

109. Exclusion of Jurisdiction of High Court in bail matters under The National Accountability (Amendment) Act, 2022.

Supreme Court	International Jurisdiction
2015 SCMR 1494 PLD 1997 SC 700 PLD 1979 Lahore 603 PLD 1976 SC 57	AIR 1987 SC 117, 1986 SCR (3) 866 AIR 1964 SC 207, 1964 SCR (4) 280

110. Before passing any order for preliminary attachment/Interim attachment under section 145(1) Cr. PC, Court is under legal obligation to record evidence or to hold an inquiry u/s 145(4) CrPC.

Supreme Court	High Courts
2013 SCMR 357,	2018 PCr.LJ 674, 2016 PCr.LJ 1080, 2013 MLD 749,

111. Non-availability of certificate on the statement of accused U/S 342 Cr. PC is an illegality or irregularity?

Supreme Court	International Jurisdiction
2022 MLD 95, 2006 MLD 1880, PLD 2005 Karachi 177 2002 PCr.LJ 230,	AIR 1967 Kant 214

112. Guidelines for remanding of Criminal Cases

Supreme Court
2022 SCMR 1187 PLD 2019 SC 669 2018 SCMR 511 2012 SCMR 229, 2006 SCMR1916, 1995 SCMR1359, 1988 SCMR1691, PLD 1954 Federal Court 120 2019 SCMR 1079 PLD 2018 SC 837 2008 SCMR 853 PLD 2006 SC 153 PLD 2005 SC 686 2004 SCMR 1 2003 SCMR 492 2001 SCMR 1461 PLD 2001 SC 536 1997 SCMR 871, PLD 1997 SC 847 PLD 1996 SC 152 1996 SCMR1368, PLD 1995 SC 330 1994 SCMR1517, 1994 SCMR1962, 1993 SCMR 51, 1993 SCMR 55, 1992 SCMR 964, 1990 SCMR 582, 1986 SCMR 59, PLD 1981 SC 522 2009 PCr.LJ 199, 1988 SCMR1691, 1987 SCMR 237 1972 SCMR 95, PLD 1962 SC 249

113. Non-proving of motive is of no consequence, if prosecution case is established through ocular account.”

Supreme Court	High Courts
2001 SCMR 387	2020 PCr.LJ 763 Balochistan

114. Transposition of the statements of deceased PWs Under Article. 47 of the Qanun-e-Shahadat Order, 1984.

Supreme Court	High Courts
1968 PCr.LJ 1844 SC	2022 MLD 282 Peshawar,

PLD 1958 SC 392	2021 PCr.LJ 1878 Peshawar, 2021 PCr.LJ 1664 Lahore, 2019 MLD 1152 Sindh, 2019 YLR Note 91 Peshawar, 2019 MLD 740 Sindh, 2018 PCr.LJ 889 Peshawar, 2016 PCr.LJ 709 Peshawar
-----------------	--

115. It is the quality of evidence which is to be considered and not the quantity of evidence in a criminal case.

Supreme Court
2022 SCMR 1577 2012 SCMR 1869 2011 SCMR 208 2006 SCMR 1857 2003 SCMR 884 2001 SCMR 73 2000 SCMR 1758 PLD 1980 SC 225

116. Substitution in the case of a single accused is a rare phenomenon in criminal justice.

Supreme Court
2017 SCMR 1727 2008 SCMR 1480 2007 SCMR 1427 2010 SCMR 641 2003 SCMR 554 2002 SCMR 1166 1986 SCMR 1225

117. Prosecution is bound to prove mode and manner of the occurrence as narrated during the course of proceedings.

Supreme Court
2019 SCMR 1068 2011 SCMR 323 2009 SCMR 436 2008 SCMR 345 2008 SCMR 984

118. Alteration of sentence from Section. 302(b) to Section. 302(c) of PPC on the ground of Cross-version cases.

Supreme Court	High Courts
2019 SCMR 1982,	2016 PCr.LJ 1588 Peshawar 2008 YLR 1672Lahore 2008 YLR 524Lahore

119. Bail to an accused, having 70 years of age, charged u/s-B37 PPC.”

Supreme Court	High Courts
1996 SCMR 861 1977 SCMR 50 1969 SCMR 289	2019 YLR 413 2002 MLD 905 2011 YLR 781 2011 YLR 242 1973 PCr.LJ 397 2009 YLR 1048 2008 PCr.LJ 647 2006 PCr.LJ 371 1998 PCr.LJ 166 1997 MLD 2402 2017 PCr.LJ 721

120. Testimony of victim alone is sufficient for conviction in rape case.

Supreme Court	High Courts
PLD 2021 SC 550 PLD 2010 SC 47 2007 SCMR 473 2006 SCMR 1042	2021 YLR 1291 2018 MLD 1164, 2017 PCr.LJ Note 92.

121. Effect of retraction of confession before Magistrate.

Supreme Court
2021 SCMR 1409 2021 SCMR 873 2017 SCMR 986 2017 SCMR 898

122. The post “Station Clerk” also include a Moharrir under r.22.3 of the Police Rules,1934.

High Courts
2018 PCr.LJ Note 67Sindh 2022 PCr.LJ 1610 Peshawar 1989 PCr.LJ 2002 Lahore 1987 PCr.LJ 2011 Lahore

123. Appreciation of Evidence in cases falling u/s 377, 377-A & 377-B r/w S. 53 of Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010.

Supreme Court	High Courts
2022 SCMR 50 2022 SCMR 1447 PLD 2021 SC 362	PLD 2020 Peshawar 70 2022 PCr.LJ 151 Lahore 2022 MLD 958 Islamabad PLD 2021 Islamabad 431 2019 PCr.LJ 899 Peshawar

124. Essential conditions/requirements for a child to appear and testify as a witness under article 3 of the QSO, 1984.

Supreme Court	High Courts	International Jurisdiction
PLD 2020 SC 146 2010 SCMR 247 2009 SCMR 1428	2020 PCr.LJ 1419 Lahore 2019 YLR 2171 Islamabad 2018 PCr.LJ 537 Lahore 2013 PCr.LJ 708 Peshawar	Nivrutti Pandurang Kokate&Ors vs State of Maharashtra on 19 February, 2008 Ratansinh Dalsukhbhai Nayak vs State of Gujarat on 29 October, 2003

125. Effect of non-conducting of DNA test in cases U/Ss. 377, 376 PPC r/w S. 53 of KPK Child Protection and Welfare Act, 2010, established through ocular account.

Supreme Court	High Courts
PLD 2020 SC 295 PLD 2020 SC 313 PLD 2010 SC 47	2017 YLR 2031 Islamabad 2011 PCr.LJ 1443 Federal Shariat Court 2021 YLR Note 108 Balochistan

126. Extent of Revisional Jurisdiction of the Court U/S 435/439 CrPc, in interference with the order of the trial court refusing to acquit the accused u/s 265-K CrPc.

Supreme Court
2011 SCMR 508 1993 SCMR 305 2006 SCMR 1957 1998 SCMR 1281 2000 SCMR 735

2006 SCMR 1957
 PLD 2016 SC 55
 PLD 2019 SC 261

127. Absconsion under section 87 & 88 Cr. PC, explained.

Supreme Court	High Courts
2018 SCMR 71 PLD 2005 SC 399 PLD 2006 SC 343	2012 PCr.LJ 1647 Balochistan 2015 MLD 1572 Balochistan PLD 2006 Karachi 678 PLD 2010 Lahore 353

128. When case of the prosecution is established through ocular account, non-sending of empties to the FSL loses its significance.

Supreme Court	High Courts
2001 SCMR 424	2021 YLR 2041 2020 PCr.LJ 763 2017 PCr.LJ 731 2008 MLD 592 2008 YLR 338 Lahore 2006 PCr.LJ 1853 Lahore

129. Interim order passed under section 7 of the illegal dispossession Act, 2005; can it be questioned in writ petition?

Supreme Court	High Courts
2016 SCMR 2039	PLD 2006 Lahore 649 2007 PCr.LJ 181Lahore 2008 PCr.LJ 199Lahore 2010 PCr.LJ 1334Lahore 2016 MLD 1018 Lahore 2016 PCr.LJ 672 Islamabad 2018 YLR Note 81 Lahore 2019 PCr.LJ 1634 Sindh 2019 YLR Note 101 Lahore PLD 2011 Lahore 340 2020 PCr.LJ 1467 Peshawar

130. Common intention-elobrated.

Supreme Court	International Jurisdiction
PLD 2001 SC 378 PLD 2006 SC 87 PLD 2007 SC 93	Baluand Ors.Vs.State (U.T. of Pondicherry) Criminal Appeal No. 502 of 2007 Decided On: 16.10.2015

2000 SCMR 746 2011 SCMR 1148 2022 SCMR 1187	Darshan SinghVsState of Punjab Civil Appeal No. 745 of 2007 (Arising out of SLP (C) No. 20477 of 2005) Decided On: 13.02.2007
---	--

131. Case law regarding convictions in cyber-crimes.

Supreme Court	High Courts
2019 SCMR 1982 PLD 2019 SC 675	PLD 2019 Lahore 366

132. Appeal of Juvenile & and major accused, decision through a consolidated judgment

Supreme Court	High Courts
2006 SCMR 1812	1990 PCr.LJ 1193 Karachi 1996 PCr.LJ 514 Karachi 1997 PCr.LJ 1253Lahore 2001 YLR 3278 Karachi 2013 MLD 1675 PLD 2004 Karachi 577

133. Scope of last seen evidence.

Supreme Court	High Courts
2000 SCMR 1784 2019 SCMR 1220 2021 SCMR 873 PLD 2018 SC 813	2013 PCr.LJ 1461 Federal Shariat Court 2022 PCr.LJ 580 Peshawar

134. Scope of analysis under rule 6 of the CNSA (Govt. Analysts) Rules, 2001.

Supreme Court	High Courts
2021 SCMR 363 2021 SCMR 492 PLD 2020 SC 57 2020 SCMR 474	2010 MLD 1908 Karachi

135. Effect of two versions of Prosecution in narcotics cases.

High Courts
2019 YLR 51Sindh 2018 YLR Note 186 Peshawar 2012 PCr.LJ 1151 Peshawar

136. Protocols that are to be observed while sampling.

Supreme Court	High Courts
2018 SCMR 2039 2015 SCMR 1002	2020 PCr.LJ Note 40 Lahore 2018 PCr.LJ 590 Lahore 2013 YLR 1120 Peshawar 2005 PCr.LJ 1245 Peshawar

137. Recovery not proved, can conviction be based on the evidence of an eye witness?

Supreme Court	High Courts
2022 SCMR 881 2022 SCMR 690 2004 SCMR 220	2017 YLR 39 Sindh 2012 PCr.LJ 768 Balochistan 2006 MLD 104 Peshawar

138. Res gestae and its application in criminal law.

High Courts	International Jurisdiction
2006 PCr.LJ 1827Lahore 2020 YLR 1972 2022 YLR 967	Vadlakonda Lenin vs State of Andhra Pradesh Ramakrishna Vs State of Kerala Bogami vs State of Maharashtra

139. Legality of statement of witness who was neither in the calendar of witnesses nor his statement u/s 161 CrPC was recorded.

Supreme Court	High Courts
2007 SCMR 1631 PLD 2001 SC 384 1987 SCMR 886	2011 MLD 470 Quetta 2006 PCr.LJ 110 Peshawar 2001 PCr.LJ 370Lahore 2018 YLR 2490 Balochistan 2017 PCr.LJ 294 Peshawar

140. Concept of solitary confinement.

High Courts	International Jurisdiction
PLD 1974 Lahore 120 PLD 2010 Federal Shariat Court 1	1972 USSC 2410 2017 UKSC 2806 409 U.S. 968

141. Principles of Appreciation of Evidence in cross version, criminal cases.

Supreme Court	High Courts
PLD 2020 SC 201 PLD 1994 SC 679 1992 SCMR 1592 1985 SCMR 510 2010 SCMR 1959 2019 SCMR 956 PLD 1954 FC 112 PLD 1953 FC 93 PLD 1953 FC 115	2018 YLR 985 Lahore 2017 YLR Note 270 Sindh 2017 YLR 2291 Lahore 2016 PCr.LJ 1588 Peshawar 2017 YLR Note 270

142. “Blunt Trauma, it’s causes and effects-elaborated.

International Jurisdiction
Sarv/Shri R.S.Rai & Arun ... Vs Unknown on 5 November, 2008 Criminal Appeal No. 407 of 1998 Ashok & Ors. Vs State on 15 April, 2010

143. Any omission or short coming in charge will not vitiate the trial.

Supreme Court
2019 SCMR 542 PLD 2006 153 SC 2005 SCMR 364 PLD 1979 53 SC 1958 PLD 383 SC

144. Remedy available to an aggrieved person under section 22(A) (6) Cr.P.C qua directions given in NJPMC, in case of non-registration of an FIR.

Supreme Court	High Courts
PLD 2016 SC 581 2015 SCMR 1724 PLD 2014 SC 753	PLD 2019 Peshawar 154 2012 YLR 134 Balochistan.

145. Meaning & concept of “Income beyond known source” under accountability laws.

Supreme Court	High Courts
2005 SCMR 1175	PLD 2019 Balochistan 51 2005 YLR 1894 2018 PCr.LJ 1682 Peshawar 2017 YLR 2516 Karachi. 2017 PCr.LJ 250 Karachi 2013 MLD 849 Lahore. 2012 PCr.LJ 903 Peshawar. 2011 YLR 1041 2010 MLD 1718 Karachi. 2005 YLR 1894 Karachi.

146. De-freezing of Bank account in NAB cases----- right to life and property is to be protected.

Supreme Court	High Courts
2019 SCMR 247 2019 SCMR 1106 2015 SCMR 1257 2013 SCMR 1383 2011PLD SC 97	2017 PCr.LJ 1292 Peshawar. 2012 PCr.LJ 1950 Balochistan. 2011 P Cr. LJ 104Lahore. 2010 YLR 2766 Karachi PLD 2018 Peshawar. 207 PLD 2018 696 Sind. PLD 2008 347 Lahore. 2019 CLC 224 Karachi.

147. It is better that ten guilty persons be acquitted rather than one innocent person be convicted-elucidated.

Supreme Court	High Courts
PLD 2002 SC 1048	2003 PCr.LJ 1847 2018 YLR 164 2017 YLR 243 2017YLR1972 2016 YLR 905 2016 MLD 757 2013 PCr.LJ 708 2011 YLR 1844, 2009 PCr.LJ 1238 2007 MLD 1543, 2006 PCrLJ 1827

148. Grant of remission against explicit bar placed under the provisions of S.21-F of the ATA ,1997.

Supreme Court	High Courts
PLD 2013 SC 223 PLD 2015 SC 1	PLD 2010 Lahore 428 2018 PCr.LJ 148 Quetta

PLD 2010 SC 1021 PLD 2016 SC 637	PLD 2016 509 Lahore PLD 2007 Karachi 139 PLD 2019 Peshawar 211 PLD 2004 Quetta 1
-------------------------------------	---

149. Case Law on Rule-140 of the Prison Rules 1978.

Supreme Court	High Courts
PLD 2006 SC 365	2011 PCr.LJ 1801Karachi 2018 YLR 1479 Sindh PLD 1989 Karachi 7 2018 YLRN 191 PLD 2004 Karachi 99

150. Case Law on Section.401 Cr. PC (Remission/suspension of sentence).

High Courts
2018 YLR 1479 2015 YLR 360Sindh 2013 PCr.LJ 1394 Lahore. PLD 2011 Karachi 32 PLD 2010 Lahore 428 PLD 2004 Karachi 99 2001 YLR 2858 Lahore 1982 PCr.LJ 192Karachi

151. Effect of lodging of FIR after medical examination.

Supreme Court	High Courts
1990 SCMR 1134 2020 SCMR 178	2009 Y LR 2187Lahore 2011 Y LR 2284Lahore 2016 PCr.LJ N 568Peshawar 2015 PCr.LJ 81 Peshawar 2015 YLR 27Peshawar

152. Recording of evidence through audio video Link in criminal case.

Supreme Court	High Courts	International Jurisdiction
PLD 2019 SC 196 2013 SCMR 203	PLD 2018 Islamabad 148	1983 SCC 228 at 256 1974 SSC 23 2003 SCC 601 PLD 1957 SC 439 (Ind.) 1974 Cri. LJ 784 Delhi

153. Scope of availing of both ordinary and special remissions simultaneously.

Supreme Court	High Courts
PLD 2009 SC 460 PLD 2010 SC 1021 PLD 2015 SC 1 PLD 2006 SC 365	PLD 2007 Karachi. 139 PLD 2007 Karachi 139 P LD 2019 Peshawar 211 PLD 2007 Karachi 216 2018 YLR 1479 2015 YLR 360 PLD 2011 Karachi 32 PLD 2004 Karachi 99 1982 PCr.LJ 192 2013 PCr.LJ 1394 2013 PCr.LJ 910 2013 PCr.LJ 386 PLD 2010 Lahore 428 2001 YLR 2858

154. Competency of ASI to make search, seize and arrest under the CNSA 1997 in case of prior information.

Supreme Court	High Courts
2007 SCMR 1671 2003 SCMR 1237 2007 SC MR 393	2020 YLR 464 2020 YLR 151 2018 MLD 1917 2016 MLD 920 PLD 2013 Peshawar.32 PLD 2001 Peshawar. 152 2017 YLR Note 99 2007 YLR 1022 Karachi 2001 YLR 1847 1999 PCRLJ 1033 Karachi. 2008 YLR 1562 2004 YLR 1303 1999 PCr.LJ 924

155. When no case is made out from the record of the case then charge is not to be framed under the governing provision.

High Courts
2019 PCr.LJ Note 72 PLD 2019 Sindh 670 2017 PCr.LJ Note 100 2017 PCr.LJ Note 238 1993 MLD 1738 2008 PCr.LJ 247

156. Circumstances under which FIR can be quashed.

Supreme Court	High Courts
2012 SCMR 94 2008 SCMR 76 PLD 2007 SC 539 PLD 2007 SC 48 2006 SCMR 276 2000 SCMR 122 PLD 2009 SC 102	PLD 2002 Lahore. 444

157. Effect of acquittal by Special Judge Custom, while adjudication is pending before Custom Authorities.

Supreme Court	High Courts
2002 SCMR 1527 PLD 1989 SC 377 PLD 1969 SC 446	2018 PTD (Trib.) 326 Customs Appellate Tribunal 1988 PCr.LJ 213 Lahore. 2002 PTD 2885 Lahore. 1989 PCr.LJ 1190 Lahore. 1987 PCr.LJ 9 Karachi.

158. Evidentiary value of police official/officer as recovery witness under the CNSA 1997.

Supreme Court	High Courts
2008 SCMR 1616 2008 SCMR 1254 PLD 2009 SC 39 2001 SCMR 36 PLD 1996 SC 67 2004 SCMR 988	2019 MLD 962 Karachi. 2017 PCr.LJ 1399 Karachi. 2017 PCr.LJ 501 Karachi. 2017 PCr.LJ 1399 2019 MLD 962 2011 PCr.LJ 1593

159. Importance of recovery memo in CNSA cases.

Supreme Court	High Courts
2019 SCMR 1649 2019 SCMR 326 PLD 2018 SC 823 2014 SCMR 862 2012 SCMR 1276 2011 SCMR 1954 2010 SCMR 1016 1992 SCMR 1502 2011 SCMR 1954	2020 YLR 311 2020 PCr.LJ 493 2020 PCr.LJ 321 2020 MLD 448 2018 YLR 1528 2018 MLD 1210 2018 YLRN 186 2018 PCr.LJ Note 185 2016 YLR 305 2016 PCr.LJ 1178 2015 YLR 2517 2015 PCr.LJ 1430, 2015 PCr.LJ 45, 2014 MLD 467, PLD 2014 Peshawar. 69,

	2013 YLR 2694, 2013 YLR 140, 2013 PCr.LJ 640, 2013 PCr.LJ 454, 2013 MLD 1822 2013 MLD 1509, 2012 YLR 2476, 2012 YLR 860, 2012 PCr.LJ 886, 2012 PCr.LJ 131, 2011 PCr.LJ 1769 2011 MLD 487 2010 YLR 1974, 2010 PCr.LJ 348, 2010 MLD 481 2005 MLD 963, 2004 PCRLJ 56 1992 MLD 349, 2006 YLR 2243 2020 PCr.LJ 407, 2020 PCr.LJ N 30, 2019 PCr.LJ 1491, 2019 PCr.LJ 1207, 2019 MLD 1518, 2018 YLR 860, 2017 PCr.LJ N 217, 2017 PCr.LJ N 114, 2016 YLR 1362, 2016 PCr.LJ 56, 2016 YLRN 123 2014 YLR 822, 2013 YLR 2443, 2012 PCr.LJ 91, 2008 YLR 1562 PLD 2008 Lahore.164, 2006 YLR 2061, 2005 PCRLJ 323 2004 YLR 1303 2002 YLR 3940
--	--

160. Initial burden of proof lies on the accused under section 187 of the Customs Act, 1969.

Supreme Court	High Courts
1980 SCMR 114	2019 PTD 739
2006 SCMR 705	2018 PTD 2400
1993 SCMR 311	2018 PTD 1467
2017 SCMR 585	2017 PTD 1391
	2016 PTD 1861
	2013 PTD 327
	PLD 2006 Karachi. 20
	2003 PTD 2118

	PLD 1996 Karachi. 68 2015 PTD 1733 2004 PTD 2187 1994 MLD 2154 Lahore.
--	---

161. Bail can neither be recalled nor granted when trial is near to conclusion.

Supreme Court	High Courts
2019 SCMR 2027 2002 SCMR 1381 1996 SCMR 172 1995 SCMR 1108 1995 SCMR 1089 1987 SCMR 1879 PLD 1983 SC426	2016 PCr.LJ 681 2004 PCRLJ 298 1995 PCRLJ 1733

162. Principles laid down in Section 55, 107, 109 & 151 Cr. PC (Preventive measures)-explained.

Supreme Court	High Courts
PLD 2018 SC 595 2014 SCMR 1762 1994 SCMR 379 1990 SCMR 313 1983 SCMR 928 PLD 1972 SC 74	2010 MLD 271 1971 PCr.LJ 12 1998 PCr.LJ 1035 Karachi. 1996 MLD 452 Balochistan. 1990 PCr.LJ 1559 PLD 1975 151 Karachi 2019 PCr.LJ 1070 2012 PCr.LJ 1082 1984 PCRLJ 384 PLD 1954 119 2000 PCr.LJ 69

163. Findings of the Court, recorded in Bail granting order, can be expunged by the High Court.

Supreme Court	High Courts
2006SCMR66	2019 YLR Note 4Balochistan 2009 Y LR 450Lahore

164. Whether Section 21 of the Control of Narcotic Substances Act, 1997 directory or mandatory in nature?

Supreme Court	High Courts
2009 SCMR 291 2008 SCMR 1254 2007 SCMR 393 2007 SCMR 1671 2003 SCMR 1237 2003 SCMR 1237 2007 SCMR 393	2020 YLR 464 2020 Y LR 151 2018 M LD 1917 2016 MLD 920 PLD 2013 32 PLD 2001 Peshawar 152 2017 YLR Note 99

	2007 YLR 1022 2001 YLR 1847 1999 PCRLJ 1033 2008 YLR 1562 2004 YLR 1303 1999 PCr.LJ 924
--	--

165. Statutory delay per se cannot be made a sole ground for the grant of Bail.

Supreme Court	High Courts
2016 SCMR 1538 2009 SCMR 133 1999 SCMR 131 1990 SCMR 607	2019 PLD 112 2017 MLD 1376 2003 PCRLJ 1584 1999 YLR 1926 2017 PCr.LJ 721 2017 PCr.LJ N 255 2017 PCr.LJ N 135 2016 YLRN 66 2012 YLR 2758 2015 PCr.LJ 153 1997 PLD 538 1997 PLD 538 1996 PCRLJ 1996 1993 MLD 2487 2020 PCr.LJ 184 2020 PCr.LJ N 41 2016 YLR 2671 2016 MLD 1742 2015 YLR 2553 2015 PCr.LJ 535 2015 PCr.LJ 355 2013 PCr.LJ 1331 2012 YLR 2432 2012 YLR 1107 2012 YLR 923 2012 PLD 261 2016 PCr.LJ 895 2015 PCr.LJ 808

166. Inspection of secret cavities in a vehicle, involved in narcotics cases.

Supreme Court	High Courts
2016 SCMR 2084	2018 PCr.LJ 354 2015 YLR 81

167. Legal effect of a conviction made on one count leaving the other counts mentioned in the charge.

Supreme Court	High Courts
2016 SCMR 1190 2004 SCMR 1 1997 SCMR 871	2009 PCr.LJ 887 2018 PCr.LJ 566 2020 PLD 202 2020 PCr.LJ 229 1991 PCRLJ 2272

168. First Information Report by itself is not a substantive piece of evidence unless its contents were affirmed on oath and the maker thereof was subjected to the test of cross-examination.

High Courts	International Jurisdiction
2018 PCr.LJ 1633 2018 PCr.LJ Note 31 2001 PLD 132 PLD 1952 Lahore 11	AIR 1957 SC 366

169. Retracted confession can form basis for conviction if found voluntary and truthful.

Supreme Court	High Courts
PLD 2019 SC 577 PLD 2006 SC 30 PLD 2005 SC 168 PLD 1995 SC 336 1992 SCMR 1983 PLD 1964 SC 813 2011 SCMR 1133 2011 SCMR 429 2009 SCMR 99	2012 PCr.LJ 493 Peshawar 2015 PCr.LJ 985 2002 PCr.LJ 1934 2008 YLR 1149

170. Case law on section 18-B and 22 -B of the Emigration Ordinance, 1979

High Courts
2006 YLR 1492 1995 PCr.LJ 100 1989 PCr.LJ 856 1989 PCr.LJ 310 1988 CLC 504

171. Effect of minor discrepancies in narcotics cases.

Supreme Court
2010 SCMR 27 2010 SCMR 1791

2007 SCMR 1378
PLD 2009 SC 39

172. Determination of competent forum/Court for depositing Diyat amount.

Supreme Court	High Courts
2011 SCMR 1292 1999 SCMR 2047	PLD 2013 Balochistan 144 2007 YLR 2490 2005 PCr.LJ 1316 2002 PCr.LJ 740 2018 MLD 363 2017 PCr.LJ Note 226 2015 PCr.LJ 1458 Peshawar 2006 MLD 1194 1999 PCr.LJ 1936

173. Mode and manner for safe custody of narcotics from place of occurrence to the malkhana of police station and its further transmission explained.

Supreme Court	High Courts
2019 SCMR 2004 2019 SCMR 608 2019 SCMR 1300 2018 SCMR 2039 2015 SCMR 1002 2012 SCMR 577	2020 M LD 794 Lahore 2018 YLR Note 106 Sindh 2017 PCr.LJ 349 Lahore

174. CNSA, 1997 -----A stringent law in its application.

Supreme Court	High Courts
2011 SCMR 1954 PLD 2004 SC 856	2014 PCr.LJ 561 2014 PCr.LJ 22 PLD 2011 Islamabad 40 PLD 2005 Lahore 440 2000 MLD 842 Karachi 2002 PCr.LJ 440

175. Effect of Order passed by Special Courts under CNSA, 1997, impugned via appeal or revision.

High Courts
2017 PCr.LJ 1652 2016 PCr.LJ 1504 PLD 2013 Lahore 59 2011 PCr.LJ 342 2015 PCr.LJ 779 2016 YLR 1326

176. Benefit of Section 382 B CrPC was allowed to convicts under Section 561 A CrPC. Such order was neither alteration in the judgment

nor was review of the same and was passed to give effect to mandatory provisions of law.

High Court
2018 PCr.LJ 148 Balochistan 1994 MLD 1739 Lahore 1991 PCr.LJ 1721

177. Case law on section 429 Cr. PC. (when number of appeal court judges are equally divided).

Supreme Court	High Courts
2020 SCMR 692 2020 SCMR 1 2019 SCMR 1229 2019 SCMR 738 2019 SCMR 454 PLD 2019 SC 43 2018 SCMR 1139	PLD 2014 Peshawar 132 2016 YLR 1013 Peshawar 2017 PCr.LJ 1164 Lahore 1983 PCr. LJ 72 1975 PCr.LJ 957 PLD 1971 Lahore 292 PLD 1971 Lahore 708 PLD 2003 Karachi 526 PLD 1963 (W. P.) Karachi 92 PLD 1954 Sind 141 1998 PCr.LJ 530 1998 MLD 1400 1996 PCr.LJ 394 Peshawar PLD 1975 Peshawar 173 P LD 1964 (W. P.) Peshawar 67

178. Scope of an appeal against acquittal under NAB Ordinance, 1999.

Supreme Court	High Courts
2005 SCMR 1175	PLD 2019 Balochistan 51 2005 YLR 1894 2018 PCr.LJ 1682 Peshawar 2017 YLR 2516 Karachi. 2017 PCr.LJ 250 Karachi 2013 MLD 849 Lahore. 2012 PCr.LJ 903 Peshawar. 2011 YLR 1041 2010 MLD 1718 Karachi. 2005 YLR 1894 Karachi.

179. Determination of age under Juvenile Justice system Ordinance 2000 and J.J.S. Act 2018.

Supreme Court	High Courts
PLD 2020 SC 356	2020 PCr.LJ 1158 Lahore
PLD 2009 SC 777	2017 PCr.LJ 474
PLD 2007 SC 202	2016 PCr.LJ 801
PLD 2004 SC 758	2014 PCr.LJ 1680
	PLD 2004 Peshawar 236
	2020 PCr.LJN 94
	2020 PCr.LJ 880

180. Importance of production of police official/material witness in Narcotics Cases.

Supreme Court	High Courts
2015 SCMR 291	2020 YLR 311
	2020 MLD 352
	2018 YLR 1067
	2018 YLR Note 93
	2018 MLD 702
	2018 YLR Note 186
	2015 YLR 1465
	2019 MLD 1931
	2017 PCr.LJ 349
	2016 PCr.LJ 1668
	2009 PCr.LJ 1221
	2006 YLR 2061
	2018 MLD 193
	2014 PCr.LJ 1193
	2013 YLR 1641
	2013 PCr.LJ 1185
	2012 MLD 1763
	2010 YLR 2617

181. Re-testing of samples in case of a deficient report prepared by the Government analyst.

Supreme Court
2019 SCMR 930
2018 SCMR 2039
2015 SCMR 1002

182. Unexplained delay in lodging of FIR.

Supreme Court
2019 SCMR 1048
2015 SCMR 993
2011 SCMR 1473
2008 SCMR 6
2007 SCMR 1825

183. Bail in cases where offence falls within non-prohibitory clause of section 497 Cr.PC.

Supreme Court
2009 SCMR 1488 2008 SCMR 807 2002 SCMR 442 PLD 1995 SC 34

184. Admissibility of an audio tape or video in evidence before a court of law and the mode and manner of proving the same before the court.

Supreme Court	High Courts	International Jurisdiction
PLD 2019 SC 675 PLD 2014 SC 809	2014 PCr.LJ 1472 2020 YLR Note 42 PLD 2019 Lahore 366 1994 PCr.LJ 1495 2018 MLD 1014 2018 PCr.LJ Note 70 Sindh 2016 YLR 62 Sindh 2015 PCr.LJ 1357Sindh 1998 PCr.LJ 1990	P LD 2016 HC (AJ&K) 32

185. Legality of refusal of the chemical examiner to report on first sample.

Supreme Court	High Courts
PLD 2020 SC 132	2002 PCr.LJ 32 Lahore.

186. Evidentiary value of statement of an eye witness having close relationship with both the accused and deceased.

Supreme Court	High Courts
PLD 2019 SC 577 PLD 2006 SC 30 PLD 2005 SC 168 PLD 1995 SC 336 1992 SCMR 1983 PLD 1964 SC 813 2011 SCMR 1133 2011 SCMR 429 2009 SCMR 99	2012 PCr.LJ 493 Peshawar 2015 PCr.LJ 985 2002 PCr.LJ 1934 2008 YLR 1149

187. Re-investigation and supplementary challan after closure of prosecution evidence and recording of statement of accused.

- i. At what stage re-investigation can be made?**
- ii. What are the parameters of re-investigation?**

Supreme Court	High Courts
2014 SCMR 474	PLD 1965 (W. P.) Lahore 734
2006 SC MR 373	2013 PCr.LJ 920 Lahore
2004 SCMR 1924	2018 PCr.LJ N 105
2000 SCMR 453	
1986 SCMR 1934	
2014 SCMR 1499	
PLD 2007 SC 31	

188. Value of statement on oath under section 340(2) Cr.P.C and defence evidence against the prosecution evidence.

Supreme Court	High Courts
2015 SCMR 1326	2018 YLR 890
2001 SCMR 41	2017 MLD 1611
PLD 1994 SC 879	2013 PCr.LJ 1650
1993 SCMR 550	2018 YLR 2535
PLD 1991 SC 787	2018 MLD 1654
1985 SCMR 510	2018 PCr.LJ 807

189. Consequences where complainant reported the matter but subsequently became an accused.

High Courts
2018 PCr.LJ 1633 Peshawar
PLD 2001 Peshawar 132

190. when case of prosecution is not established through ocular account, the circumstantial evidence, how strong it may be, is not sufficient for conviction of the accused.

Supreme Court	High Courts
2015 SCMR 1142	2021 YLR 2001 Lahore
2010 SCMR 566	2020 YLR Note 92 Sindh
1995 SCMR 1373	2020 YLR 1662 Lahore

191. How accused are charged jointly under section 239 of the Code of Criminal Procedure, 1898?

Supreme Court	High Courts
PLD 2009 SC 866	2014 MLD 1428 Lahore
PLD 1969 SC 158	PLD 2013 Sindh 532
PLD 1964 SC 120	PLD 2011 Peshawar 192

192. Can dying Declaration be the sole ground of conviction?

Supreme Court	High Courts
2011 S C M R 646 2007 SCMR 1825 PLD 2006 SC 255 2001 SCMR 1474 1997 SCMR 449	2020 PCr.LJ 1322 Peshawar

193. Whether delay can be condoned in an appeal against acquittal?

High Courts
2020 MLD 548 Lahore 2020 P Cr. LJ Note 3 Peshawar 2014 PCr.LJ 265 Peshawar 2007 PCr.LJ 1601 Karachi 1999 PCr.LJ 587 Karachi 1991 MLD 1818 Karachi.

194. Procedural defect regarding retracted confession for joint pointation of dead body.

Supreme Court	High Courts	International Jurisdiction
PLD 2019 SC 577 PLD 2007 SC 202 2016 SCMR 2123 PLD 2006 SC 30 PLD 2005 SC 477 2015 SCMR 856	2016 PCr.LJ Note 116 Lahore 2011 YLR 483 Lahore 1989 P Cr. LJ 1497 Lahore 1986 PCr.LJ 224 Lahore 2014 PCr.LJ 1036 Peshawar 2007 PCr.LJ 359 Karachi	2020 YLR 1649 SC (AJ&K)

195. Suspension of sentence during pendency of appeal under section 426 Cr.P.C.

Supreme Court	High Courts
2008 SCMR 660 1998 SCMR 423 1995 SCMR 1819 1991 SCMR 1459 1986 SCMR 1970 1983 SCMR 234 1981 SCMR 727	2020 P Cr. LJ Note 84 Lahore 2017 PCr.LJ Note 220 Sind

196. Effect of pprevious conviction when proved.

Supreme Court	High Courts
PLD 2008 SC 107	2020 PCr.LJ 477 Lahore 2015 YLR 2711Lahore

	PLD 1961 Dacca 307 PLD 1977 Quetta 56 1968 PCr.LJ 396 Lahore PLD 1959 (W. P.) Peshawar 70 PLD 1958 (W. P.) Lahore 421 PLD 1958 (W. P.) Peshawar 6
--	--

197. Old Age Convicted Person is entitled to be released on Probation.

High Courts	International Jurisdiction
2013 MLD 1822 Peshawar 2007 YLR 303 Karachi	1999 (10) SC 221, 1999 Ii Olr SC 343, (1999) 5 SCC 732 Punjab-Haryana High Court Randhir Singh And Another Vs State of Punjab and Another On 29 May, 2014 Punjab-Haryana High Court Punjab Urban Planning & ... Vs Ranjit Singh on 18 October, 2012

198. Case law on videography in all cases of recovery of Narcotics

Supreme Court	High Courts	International Jurisdiction
2021SCMR 522 PLD 2021 SC 362	<u>Islamabad</u> Cri. Appeal #. 255 of 2019 Mian Khalid Pervez Vs That State and other <u>Peshawar High Court</u> Criminal Misc. B.A 2729/2022 Imdad Ullah Vs State	Shahrukh vs State of Uttarakhand. on 8 June, 2021

199. Principles for grant of bail in narcotics cases.

Supreme Court	High Courts
2023 SCMR 306 2022 SCMR 840 2022 SCMR 685	2023 YLR 1291 Quetta 2023 MLD 98 Quetta 2023 YLR 363 Peshawar 2023 YLR 171 Peshawar 2023 YLR 126 Peshawar 2023 MLD 643 Peshawar 2023 MLD 32 Peshawar 2023 PLD 168 Peshawar 2023 YLR-N 31 Karachi 2023 PCr.LJ 583 Karachi

	2023 MLD 731 Karachi 2023 MLD 625 Karachi 2022 YLR 2413 Quetta 2022 YLR 2392 Quetta 2022 YLRN 31 Peshawar 2022 PCr.LJ 583 Karachi 2022 PCr.LJ 945 Peshawar 2022 PCr.LJ 659 Peshawar 2022 PCr.LJ 707 Peshawar 2022 MLD 1123 Peshawar 2022 YLR-N 157 Peshawar 2022 YLR-N 88 Peshawar 2022 PLD 512 Lahore 2022 PCr.LJ 1492 Lahore 2022 PCr.LJ 1466 Lahore 2022 PCr.LJ 949 Lahore 2022 PCr.LJ 949 Lahore 2022 MLD 1310 Lahore 2022 YLR-N 15 Lahore 2022 PTD 1611 Karachi 2022 PCr.LJ 1141 Karachi 2022 PCr.LJ 690 Karachi 2022 MLD 1538 Karachi 2022 MLD 998 Karachi 2022 MLD 998 Karachi 2022 MLD 735 Karachi 2022 MLD 975 Karachi
--	---

200. Case law on Federal Investigation Agency (FIA) Act, 1974.

Supreme Court	High Courts
PLD 2023 SC 265	2023 PCr.LJ 1388 Quetta 2023 YLR 1447 Lahore 2023 YLR 701 Lahore 2023 PCr.LJ 1092 Islamabad

201. Case law regarding accountability laws.

Supreme Court
2023 SCMR 1357 2023 SCMR 1093 2023 SCMR 742

202. Case law regarding Double Punishment (Double Jeopardy) and Protection from Self Incrimination.

Supreme Court	High Courts
2022 SCMR 1387	2023 PCr.LJ 1401 Peshawar 2023 MLD 312 Peshawar 2023 YLR 2525 Lahore

	2023 CLC 1059 Islamabad. 2022 PCr.LJ 1022 Lahore 2022 YLR 185 Karachi 2022 PTD 187 2022 PLD 371 Islamabad. 2021 PTD 1078 Quetta
--	--

203. Case law regarding Cognizance of offences by Magistrate u/s 190 Cr.PC.

Supreme Court	High Courts
2022 SCMR 356	PLD 2023 233 Lahore 2022 PLD 773 Lahore 2022 PCr.LJ 1437 Karachi

204. Whether FIA has the jurisdiction to proceed in corruption cases?

Supreme Court	High Courts	International Jurisdiction
2017 SCMR 1218 2016 SCMR 447 2015 SCMR 1230	2022 PCr.LJ 30 Lahore 2020 CLD 1203 2019 CLD 642 2019 CLD 881 PLD 2002 Lahore 416 2001 PCr.LJ 1789 Peshawar 2001 MLD 1680 Lahore PLD 1998 Lahore 287	(2009)8 SCC 492 AIR 2003 SC 1966 AIR 1977 SC 938 AIR 1979 SC 888 AIR 1975 SC 1409

205. Inference cannot be drawn against an accused in a criminal case.

Supreme Court	High Courts
PLD 2002 SC 1048 2001 SCMR 41 1997 SCMR 25 PLD 1993 SC 251 1992 SCMR 1983 PLD 1991 SC 787 PLD 1985 SC 11 PLD 1976 SC 695 PLD 1973 SC 418 1969 SCMR 584 PLD 1964 SC 792 PLD 1953 FC 93	1990 PCr.LJ 1185 1990 PCr.LJ 1607 1990 PCr.LJ 2055

206. Confessional statement could not be used as substantive evidence of fact when there was unexplained delay in recording of same.

Supreme Court	High Courts
2007 SCMR 670	2023 YLR 665 Karachi 2022 PCr.LJ 1126 Quetta 2022 YLRN 68 Quetta 2022 YLR 1054 Karachi

207. How Section 494 PPC is non-cognizable?

High Courts
PLD 2020 Islamabad 443 2015 PCr.LJ 1397 Peshawar PLD 2013 Sindh 232 2000 PCr.LJ 1777 Karachi 2000 YLR 488 Karachi

208. Grounds for Reduction of Sentence.

Supreme Court	High Courts
2021 SCMR354	2003 P Cr. LJ 1059 Lahore 2007 P Cr. LJ219 Federal Shariat Court 2010 MLD71 Karachi 2021 P Cr. LJ Note 74 Sindh 2022 P Cr. LJ 1648 Sindh

209. Superdari in narcotics Cases.

Supreme Court	High Courts
2011 SCMR 1471 2010 SCMR 1181 PLD 2005 SC 160 2003 SCMR 246 PLD 1974 SC 5	2016 PCr.LJ 56 Lahore PLD 2006 Lahore 167

210. Scope of margin of error in determination of age of accused through ossification test?

Supreme Court	High Courts	International Jurisdiction
2017 SCMR 633 2012 SCMR 1400 PLD 2009 SC 777 PLD 2004 SC 758	2016 PCr.LJ 1745 2016 PCr.LJ 801 2015 PCr.LJ 604 2015 PCr.LJ 604 2014 PCr.LJ 1680 2014 PCr.LJ 1680	1033 Supreme Court (AJ&K) (2008)13 SCC 133 India (2017) 2 SCC 210 India AIR 1982 SC 1297

	2003 YLR 321 2010 YLR 1812 2002 PCr.LJ 633 2004 YLR 796 PLD 2004 Peshawar 236	India (2015)7 SCC 733 India 48 Cr.LJ 542 India
--	--	--

211. Whether there is a distinction between admissibility and proof? Whether a report submitted u/s 510 Cr.PC. which is per-se admissible is required to be proved?

Supreme Court	International Jurisdiction
2013 SCMR 1113 1987 SCMR 1177	AIR1934 Cal 853 1985(1) WLN381 2002DLT131) (1988) 3 SCC 513

212. Whether under Section 6 of Juvenile Justice System Act, 2018 the statutory period of 6 months for grant of bail shall start from the date of trial? Or in case a period of 1 year has been spent determination of age, then whether such period would count for such concession?

Supreme Court	High Courts	International Jurisdiction
PLD 1999 SC 504	2018 PCr.LJ 974 2007 YLR 2079 Karachi 2006 PCr.LJ 1809 Karachi 2003 PCr.LJ 661 Karachi 2002 YLR 438 Lahore 1986 PCr.LJ 248 Lahore	1980 PCr.LJ 1223 Supreme Court (A J & K)

213. Extent of Revisional Jurisdiction of the High Court under Section 435/439 CrPc, in interference with the order of the trial court refusing to acquit an accused under Section. 265-K CrPc.

Supreme Court	High Courts	International Jurisdiction
PLD 2019 SC 261 PLD 2016 SC 55 2011 SCMR 508 PLD 2007 SC 405 2006 SCMR 1957 PLD 2004 SC 298 2000 SCMR 735 1998 SCMR 1281 1993 SCMR 305	PLD 1978 Karachi. 348	ILR 27 Bom. 84

214. Suspension of sentence in terrorism cases.

Supreme Court	High Courts
1992 SCMR 2192 PLD 1991 SC 640	2018 YLR 1 Lahore 2014 MLD 1773 2013 YLR 520 Sindh PLD 2012 Lahore 224 2011 YLR 573 Lahore PLD 2008 Lahore 74 2002 PCr.LJ 237 Lahore

215. Can a compromise be affected in offences u/s 7 ATA-1997?

Supreme Court
2016 SCMR 291 PLD 2014 SC 809 PLD 2014 SC 383 2004 SCMR 1170

216. Can remission of sentence be allowed in conviction u/s 7 ATA 1997?

Supreme Court	High Courts
PLD 2009 SC 460	PLD 2016 Lahore 509 2016 PCr.LJ 986 Lahore 2016 YLR Note 122 Lahore PLD 2011 Lahore

217. Whether provisions of ATA would be attracted in case of murder of a Police officer/ Army personnel in uniform but not on official duty?

Supreme Court	High Courts
PLD 2014 SC 383	2017 PCr.LJ Note 230 2015 YLR 2617 2013 PCr.LJ 526 PLD 2013 Sindh 160 2013 PCr.LJ 1259 2008 MLD 840 2006 YLR 366 2002 YLR 203 2002 MLD 840

218. Whether anti-terrorism court can give observation on bailstage and delete ATA offence and send the case to ordinary court?

Supreme Court	High Courts
1994 SCMR 717	2017 PCr.LJ 440 Lahore 2014 PCr.LJ 959 Sindh 2005 MLD 954 Peshawar

219. Land mark Judgments (national & international) regarding contempt of court proceedings.

Supreme Court	International Jurisdiction
2014 SCMR 866	1996(5) SCC 216
PLD 2014 SC 367	1988(4) SCC 226
2014 SCMR 866	1988(3) SCC 167
2013 SCMR 461	1978 (3) SCC 399
PLD 2005 SC 605	1970 (2) SCC 325
	(1952) 324 U.S 519

220. Can contempt petition be withdrawn or disposed of?

Supreme Court	High Courts
PLD 1998 SC 823	2013 CLC 1691 Sindh
	2007 MLD 248
	PLD 2004 Lahore 660

221. Contempt proceedings cannot be initiated against a person who is not a party to litigation?

Supreme Court
PLD 2009 SC 380

222. Conditions for Consecutive running of sentences.

Supreme Court
PLD 2016 SC 65
2012 SCMR 334

223. Abscondence per se is not a ground for refusal of bail but it is indeed one of the factors which could be taken into consideration by court of law.

Supreme Court	High Courts
2010 SCMR 179	2019 PCr.LJ Note 136 Peshawar
1985 SCMR 382	2018 MLD 1 Lahore
	2018 PCr.LJ Note 3 Peshawar
	2016 YLR 1766 Peshawar
	2016 PCr.LJ 1790 Peshawar
	2015 PCr.LJ 402 Peshawar
	2013 MLD 810 Peshawar
	2003 YLR 1915 Karachi
	1997 MLD 605 (Supreme Court AJ& K)

224. Chance witness is one who claims to be present at the place of occurrence at the relevant time, though his presence there was a sheer chance in ordinary course of business.

Supreme Court	High Courts
2017 SCMR 1189	2019 MLD 1753 Lahore

225. Failure to cross-examine a witness would result in a fact to be proved is applicable to civil cases not to criminal cases.

Supreme Court	High Court
2018 SCMR 149	2019 MLD 1753 Lahore

226.If only a single doubt in the mind of a prudent person is available, then such benefit is to be extended to an accused not as a matter of concession but as of right.

Supreme court	High Courts
PLD 2019 SC 64 2018 SCMR 772	2019 MLD 1753 Lahore

227. Burden shifted upon the accused under Article 121 of the Qanoon-e-Shahadat Order, 1984 to prove his defense plea only when a prima facie case was made out against him by the prosecution.

Supreme Court	High Court	International Jurisdictions
PLD 2020 SC 201 2015 SCMR 397 2015 SCMR 710 2010 SCMR 1706 1992 SCMR 1451 PLD 1977 SC 515	2007 PCr.LJ 1435 PLD 2002 Karachi 152 1993 PCr.LJ 1934 (Federal Shariat Court) 1991 PCr.LJ 454 Peshawar PLD 1978 Quetta 191 PLD 1954 Federal Court 29	(1997) 3SCR 320

228. Mere possession of forged notes is not an offence under Section 489 C PPC. In order to bring a case under Section 489 C PPC it is not only necessary to prove that the accused was in possession of the forged notes, but it should be further established that at the time of possession he knew the notes to be forged or had reason to believe that to be so and that he intended to use them as genuine or that they might be used as genuine.

High Courts	International Jurisdictions
2011 PCr.LJ 172 Peshawar	ILR Lahore 11 555

2010 PCr.LJ 198 Karachi 2004 MLD 145 Peshawar 2000 PCr.LJ 1461 Karachi 1996 MLD 2049 Peshawar 1992 PCr.LJ 1913 Karachi 1989 PCr.LJ 1079 Karachi 1988 PCr.LJ 1553 Peshawar 1971 PCr.LJ 53 Lahore PLD 1961 (WP) Karachi 342	
---	--

229. Concept of joint cross-examination was one which was not recognized by the law. Courts and counsel should not resort to methodologies which were not sanctioned by law as in doing so they may inadvertently create unnecessary complications and may undermine the prosecution case and benefit accused.

Supreme Court
PLD 2020 SC 334

230. A criminal complaint can be filed by a company but it should be represented by a natural person. It is also not necessary that the person must be the same throughout the proceedings. Authority to file a complaint should be conferred by some person by the Board of Directors.

High Courts	International Jurisdictions
2013 CLD 1014 PLD 2010 Lahore 300	2018 (1) ILR (Cuttack) 291 2011 (24) RCR (Criminal) 638 2005 (1) Gau LJ 48 2002 (3) RCR (Criminal) 23 2002 (2) CLJ (Criminal) 30 2001 AIR (SCW) 4793 1998 (93) Comp Cas 223 1990 (2) RCR (Criminal) 388 1981 CriLJ 966 1968 CriLJ 1449

231. Prisoners being a special class subject, to special regime and special status are not entirely denude of all Fundamental Rights which are inherent in the Constitution.

Supreme Court	High Courts
2015 SCMR 1286	2020 PCr.LJ 1 Lahore PLD 2020 Islamabad 268 PLD 2010 Federal Shariat Court 1

232. Prisoner had a right to sue in respect of torts committed in a prison.

High Courts

PLD 2020 Islamabad 268

233. Principles for Custody and disposal of narcotic substances laid down.

Supreme Court

PLD 2010 SC 623

High Courts

2020 PCr.LJ 524 Lahore PLD 2017 Peshawar 74 2015 PCr.LJ 213 Lahore 2007 YLR 713 Peshawar 2005 PCr.LJ 1278 Peshawar PLD 2003 Karachi 606 2002 PCr.LJ 837 Lahore
--

234. Principles to be considered in decision of appeal against acquittal.

Supreme Court

1992 SCMR 1036 PLD 1985 SC 11

235. Abscondence by itself though was not sufficient to convict an accused person but it was a strong piece of corroborative evidence of the other direct and circumstantial evidence in the case.

Supreme Court

2011 SCMR 171 2009 SCMR 471 1992 SCMR 814 PLD 1985 SC 11 1992 SCMR 1036 1981 SCMR 182
--

High Courts

2018 YLR 1676 Peshawar 2017 YLR 1283 Lahore 2017 YLR 1967 Peshawar PLD 2010 Peshawar 41 2005 YLR 3335 Peshawar
--

236. Accused is entitled for benefit of an extenuating circumstance while deciding the quantum of sentence.

Supreme Court

2010 SCMR 1205

High Courts

2017 YLR 1283 Lahore

237. Value of testimony of Interested witness.

Supreme Court	High Courts	International Jurisdictions
2021 SCMR 149 2016 SCMR 274 2007 SCMR 518 PLD 1991 SC 447 PLD 1977 SC 557 PLD 1960 S C 387 PLD 1964 S C 177 2006 SCMR 1857 2009 S C M R 99 2001 SCMR 90	2020 YLR 942 Balochistan 2019PCr.LJ832 Balochistan 2018PCr.LJ 778Balochistan 2018 YLR 720 Lahore 2018 YLR 1676 Peshawar PLD 2010 Peshawar 41 NLR 2008 Criminal 183 1998 PCr.LJ 247	AIR 1994 Sc 748 AIR 1985 SC 1384

238. Quality of evidence is required and not quantity of witness.

High Courts
PLD 2010 Peshawar 41 2004 PCr.LJ 1984

239. If the eye-witnesses remained firm and straight-forward in their testimony before the court then further corroboration from circumstantial evidence would not be required.

Supreme Court	High Courts
PLD 2005 SC 288	2020 YLR 589 Peshawar

240. Police witnesses are as good witnesses as any other witness until the defense could have successfully shattered their credibility.

Supreme Court	High Courts
2004 SCMR 1361 2008 SCMR 649 2008 SCMR 1616	2020 YLR 2428 Lahore 2009 PCr.LJ 836 Karachi 2020 MLD 1248 Lahore

241. The evidence has to be weighed not counted in narcotics cases.

Supreme Court	High Courts
2020 SCMR 1222 2011 SCMR 820	2020 MLD 629 Peshawar 2020 PCr.LJ 321 Peshawar PLD 2017 Peshawar 74 2011 YLR 134 Peshawar 2019 YLR 1000 Sindh 2019 PCr.LJ 1133 Sindh

	2014 YLR 1236 Sindh 2010 YLR 2617 Karachi PLD 2009 Karachi 191 2020 YLR 1553 Lahore 2016 YLR 1093 Lahore 2006 YLR 2979 Lahore
--	--

242. Value and worth of scientific evidence.

Supreme Court	High Courts
PLD 1989 SC 249 PLD 2019 SC 675	PLD 1998 Peshawar 52 2001 YLR 448 Lahore PLD 2007 Karachi 448 PLD 2019 Lahore 366 2002 PCr.LJ 1765 Sindh PLD 2010 SC (AJ&K) 54.

243. Procedure and precautions of confession explained.

Supreme Court
2016 SCMR 274

244. Discretion in the matter of sentencing has been given to the courts, which must be exercised judiciously.

Supreme Court	High Courts
2015 SCMR 856 2011 SCMR 1171 2007 SCMR 525	2015 YLR 1448 Peshawar 2015 PCr.LJ 1524 Lahore 2002 PCr.LJ 698 Lahore

245. When there were two aspects of the case, the one favorable to accused, would be considered.

High Courts
2015 YLR 1448 Peshawar

246. Juvenility of an accused/person alone was not sufficient for his/her acquittal.

High Courts
2020 YLR 589 Peshawar

247. Term 'terrorism' had wide meaning and for the purpose of assessment as to whether sense of fear and insecurity spread amongst the public at large, the manner in which the incident took place, coupled with the place, where the incident took place were very material.

Supreme Court	High Courts
PLD 2006 SC 182 2002 SCMR 1225	2010 PCr.LJ 98 Karachi PLD 2007 Lahore 618

248. Criminal trial of an accused must benco ducted with utmost fairness.

Supreme Court
PLD 2020 SC 334

249. Case involving more than one accused, name of the accused or his lawyer who was cross-examining the witness must be mentioned by the court.

Supreme Court
PLD 2020 SC 334

250. Supply of the requisite material would enable accused to properly defend himself against the accusation made ---Non-compliance of that provision of law could surely jeopardize his right to have a fair and impartial trial. Omission to supply such documents as per provision of S.265-C, Cr.P.C. would vitiate the whole trial.

High Courts	International Jurisdictions
2009 YLR 1007 Lahore 2007 PCr.LJ 233 Karachi 2007 PCr.LJ 233 1997 MLD 2869 Lahore 1997 MLD 2869 Federal Shariat Court 2016 PCr.LJ 290 Sindh	2005 YLR 2032 (AJ&K)

251. The prosecution is not bound to produce all the witnesses, cited in Calander but copies of statement of such witnesses recorded under S.161, Cr. PC are to be provided to the accused.

High Courts
2009 YLR 1007 Lahore 2007 PCr.LJ 233 1999 PCr.LJ 496

252. Offence committed by a juvenile or adult against a child shall be triable by the Court established under the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010, while an offence committed by a child against an adult shall be tried by the Court created under the Juvenile Justice System Act, 2018.

High Courts
PLD 2020 Peshawar 154

253. Exculpatory part of confession may be separated from inculpatory part of confession.

Supreme Court	High Courts	International Jurisdictions
PLD 1978 SC 200 1983 SCMR 76 PLD 1991 SC 520	PLD 1952 FC 1 PLD 1958 Peshawar 147 2017 YLR 1742 PLD 1961 (W.P.)Lahore. 146 PLD1956(W.P.) Lahore 1045	AIR 1931 All. 1 AIR 1935 Lahore. 671 AIR 1978 SC 1183

254. Conviction could be based on sole confessional statement, provided the same was voluntary and true.

Supreme Court	High Courts
1992 SCMR 950	2013 PCr.LJ 229

255. It is well entrenched principle of law that even if an accused does not take the plea of self-defense and it is discernible from the prosecution evidence then, benefit of the same is to be given to the accused.

Supreme Court
PLD 1996 SC 274 1993 SCMR 417 1993 SCMR 1628 1983 SCMR 76

256. Whether recall of bail order is possible due to overlooking of the record by the court?

Supreme Court	High Courts
2010 SC MR 198 1981 SCMR 35	1996 MLD 502 Peshawar 2000 PCr.LJ 1595 Karachi 1999 YLR 2380 Karachi 1996 PCr.LJ 370 Lahore

257. Can a person undergoing life imprisonment be released on the basis of remissions granted by the Provincial Government?

Supreme Court	High Courts
PLD 2006 SC 365 2013 SCMR 1582	2011 PCr.LJ 1801 Karachi PLD 2004 Karachi 99 PLD 1989 Karachi 7 2018 YLR 1479 Sindh PLD 2007 Karachi 139

258. Provincial Government has no power to suspend or remit any sentence awarded if committed on the pretext of Karo Kari, Siah Kari or similar other customs or practices.

Supreme Court	High Courts
PLD 1964 SC 503 PLD 2005 SC 163	PLD 2007 Karachi 139 PLD 1956 Federal Court 46 PLD 1963 Dacca 422 PLD 1994 Peshawar 202 2020 PCr.LJ 213 Islamabad

259. Courts normally do not consider plea of alibi at bail stage but this is not a rule of universal application. Court can grant bail on the plea of alibi.

Supreme Court	High Courts
2016 SCMR 18 PLD 1998 SC 97 1997 SCMR 1829 PLD 1978 SC 256	PLD 2006 Lahore 689 PLD 1993 Lahore 500 1989 PCr.LJ 2122

260. Testimony of police officials was as good as any other private witness unless it was proved that the police officials had animus against the accused.

Supreme Court	High Courts
2022 SCMR 317 2022 SCMR 905 2022 SCMR 1097 2021 SCMR 531 2020 SCMR 1222 2020 SCMR 474 2010 SCMR 1962 2009 SCMR 306 2008 SCMR 1254 2008 SCMR 825 2008 SCMR 1616	2020 MLD 1724 Peshawar 2020 MLD 629 Peshawar 2018 YLR 1668 Peshawar PLD 2017 Peshawar 74 2016 YLR 2293 Peshawar PLD 2014 Peshawar 69 2012 YLR 463 Peshawar

261. Section 250 of the Code of Criminal Procedure does not apply to proceedings under section 107 of the Code.

Supreme Court
PLD 1962 SC 331

262. Principles for conditions as to sureties-explained.

High Courts
PLD 1965 (W. P.) Peshawar 14 PLD 1963 West Pakistan Karachi 673 PLD 1961 (W. P.) Karachi 698

263. The proceedings under section 107, Cr.PC are not penal but punitive in nature.

High Courts	International Jurisdictions
2000 PCr.LJ 1525 Karachi 2000 PCr.LJ 1534 Karachi 1993 PCr.LJ 102 Karachi 1980 PCr.LJ 126 Karachi	1952 AIR (Orissa) 33 1988(2) R.C.R.(Criminal) 341

264. Scope and applicability of the concept of statutory ground of bail in the conclusion of trial.

Supreme Court	High Courts
2022 SCMR 970 2022 SCMR 1 PLD 2022 SC 541 PLD 2022 SC 112 2021 SCMR 2090 PLD 2020 SC 356 2020 SCMR 1225 2020 SCMR 458	2022 YLR 1655 Peshawar 2021 YLR 2358 Peshawar 2021 YLR 1159 Lahore 2022 MLD 278 Lahore 2021 PCr.LJ 1458 Lahore 2021 YLR Note 59 Lahore 2021 PCr.LJ Note 29 Lahore 2021 YLR 1309 Sindh 2020 MLD 1877 Lahore 2020 PCr.LJ Note 84 Lahore

265. Section 23 of the NAB Ordinance is not in conflict with Articles 23 and 24 of the Constitution per se. NAB cannot indefinitely fetter the property rights of persons accused of corrupt practices, without judicial oversight, or incumber the property rights of third-party purchasers by forcing transferring authorities to place a caution against their transfers.

Supreme Court	High Courts
PLD 2001 SC 607	2021 PCr.LJ 1738 Islamabad 2019 PCr.LJ 997 Islamabad PLD 2011 Islamabad 25 2010 PCr.LJ 579 Sindh

266. The testimony of a witness cannot be believed or disbelieved simply for the reason that his name appears or does not appear in FIR. Real test is intrinsic value of testimony.

Supreme Court	High Courts
2003 SCMR 554 PLD 2001 SC 107	2020 YLR 589 Peshawar 2019 PCr.LJ Note 124 Peshawar 2019 PCr.LJ 247 1998 PCr.LJ 2022 Peshawar

267. Applicability of the principle of benefit of doubt to matter of sentence-explained.

Supreme Court	High Courts
2020 SCMR 1250 2020 SCMR 1206 PLD 2020 SC 559 2015 SCMR 710 2009 SCMR 1188 2008 SCMR 984 1980 SCMR 859	PLD 2005 Karachi 449

268. Principles for Dying Declaration-elucidated.

Supreme Court	High Courts
2010 SCMR 55 2001 SCMR 1474 2006 SCMR 249 1981 SCMR 61	2018 PCr.LJ Note 41 Lahore 2013 PCr.LJ 962 Sindh 1996 PCr.LJ 1689 Quetta

269. Delay in recording the confessional statement of an accused by itself is not sufficient to adversely affect its validity.

Supreme Court
2010 SCMR 55 1999 SCMR 1972

270. Once prosecution accusations regarding involvement of convict for causing murder are established then in the absence of justifiable extenuating circumstances normal punishment required to be awarded is death.

Supreme Court
1998 SCMR 862 1998 SCMR 1976

PLD 1976 SC 452
PLD 1975 SC 227

271. Rule of benefit of doubt described as golden rule, is essentially a rule of prudence which cannot be ignored while dispensing justice in accordance with law. This rule occupies a pivotal place in Islamic Law and that is enforced rigorously in view of the saying of the Holy Prophet (PBUH) that the mistake of Qazi in releasing a criminal is better than his mistake in punishing an innocent.

Supreme Court	High Courts
2011 SCMR 664 2009 SCMR 135 2008 SCMR 1103 2007 SCMR 486 2007 SCMR 778 PLD 2002 SC 1048 PLD 1973 SC 418	2012 YLR 2026 Sindh

272. Pronouncement made in bail matters is always an order and not a judgment and hence can be modified or amended.

Supreme Court	High Courts	International Jurisdictions
2010 SCMR 198 1981 SCMR 35	1996 MLD 502 Peshawar 2000 PCr.LJ 1595 Karachi 1999 YLR 2380 Karachi 1996 PCr.LJ 370 Lahore	AIR 1941 Sindh 83

273. Mode and manner of contempt of court proceedings-explained.

Supreme Court	High Courts
2018 SCMR 100	2019 MLD 238 Peshawar 2000 CLC 387 1990 PCr.LJ 1736 1982 PCr.LJ 1061

274. Domicile and permanent residence are two different concepts. Concepts explained.

Supreme Court	High Courts
1980 SCMR 456	2022 PLC (CS) 550 Peshawar

275. “Whether a minor has attained the intelligent preference is a question of fact which depends upon the capacity of the minor in each case. It cannot be put in a straight-jacket formula.”

International Jurisdictions

2012 AIR (Madras) 62
RLW 2003 (1) Raj 406
2002 WLN 286

276. It is true that sometime an omission may have the force of an inconsistent or contradictory statement and may be used for the purpose of impeaching the credit of the witness.

High Courts

PLD 1978 Lahore 523
1969 PCr.LJ 491 Dacca

277. The relevant date for determining the age of the accused, who claims to be a child, is the date of occurrence and not the date of trial.

Supreme Court	High Courts	International Jurisdictions
2022 SCMR 1806	2023 PLD 544 Peshawar 2014 PCr.LJ 542 Sindh 2008 PCr.LJ 710 Sindh PLD 2006 Karachi 331 PLD 2001 Lahore 479	(2005) 3 SCC 551 (2000) 5 SCC 488 (1982) 2 SCC 202

278. Copying of evidence from one case for record of another case is an illegality.

Supreme Court	High Courts
PLD 1966 SC 708	2022 PCr.LJN 10 Karachi 1984 PCr.LJ 605

279. Order under S. 3 of Punjab Maintenance of Public Order Ordinance, 1960, cannot be based on conjectures and surmises.

Supreme Court	High Courts
PLD 2003 SC 442	PLD 2023 Karachi 374 2023 MLD 1837 Islamabad 2023 YLR 333 Lahore 2023 YLR 2525 Lahore PLD 2016 Peshawar 89 2004 MLD 1541 2004 PCr.LJ 1604

280. Representation under S. 3(6) of West Pakistan Maintenance of Public Order Ordinance, 1960 is an alternate remedy but it cannot oust Constitutional jurisdiction of High Court.

Supreme Court	High Courts
PLD 2003 SC 442	2023 PCr.LJ 1646 Lahore PLD 2021 Lahore 699 2020 PCr.LJ 960 Quetta 2020 PCr.LJ 206 Lahore 1999 PCr.LJ 747 Sindh



SERVICE

(SERVICE)

1	Nature of ACRs instructions, mandatory or directory.	1
2	Obligations of the State with regard to persons with disability, in the context of recruitment to civil service --- <i>extensively discussed.</i>	1
3	Experience to be counted after obtaining prescribed qualification.	1
4	The value/worth of recommendations of Public Service Commission for appointment.	1
5	The Service Rules of PCSIR (Pakistan Council of Scientific and Industrial Research) are statutory or not.	2
6	Appointment or Promotion is not a vested right.	2
7	Status of statutory rules-explained.	2
8	Scope for regularization of a person not on permanent job.	2
9	Counting of project service towards length of service or pension.	3
10	Posting of a Junior Officer on higher post as stopgap arrangement despite availability of a Senior Officer-legal effect.	3
11	Rules must be followed.	3
12	Distinction between fact finding Inquiry and regular inquiry.	3
13	Relevance of Civil Servants (Promotion to the post of Secretary BPS-22 and Equivalent) Rules, 2010 for promotion to the post of secretary BPS-22.	3
14	An employee who is regularized on a post would be entitled to the same basic pay scale held by him prior to his regularization.	4
15	Consideration of higher qualification for appointment.	4
16	Travelling & Departure Allowance--terms and conditions of service of a civil servant.	4
17	Plea of equality in case of extension of a wrong benefit.	4
18	Plea of discrimination in departmental proceedings.	4
19	Legality of adverse action against a person without providing right of hearing.	4
20	Requirement of filling of Public Posts in accordance with law-principle elucidated.	5
21	Statutory right available to an employee cannot be taken away by an executive order.	5
22	Right of due hearing in service matter-explained.	5
23	Rights/Status of a Deputationist-explained.	6
24	Whether designation of a "bank officer/teller" comes within the meaning of the term "Worker"?	6
25	Whether "Disability" or "Suitability with disability" can be a consideration for appointment under the disable quota?	6
26	Worth/value of a "Personal File" in disciplinary proceedings.	6

27	Legal worth and status of the instructions vis-à-vis rules, regulations and law.	7
28	Whether the instructions regarding the recording of Annual Confidential Report have the status of rules, made under the Civil Servants Act, 1973?	7
29	Status of Chairman KP Service Tribunal-explained.	7
30	Whether an authority has the power to recall its earlier order?	8
31	Administrative Actions in service matters-explained.	8
32	Mere pendency of an inquiry will not deprive a person from promotion.	8
33	Effect of change of nomenclature of post.	8
34	Scope for interference by High court in the pending inquiry under Efficiency & Discipline Rules.	9
35	No one should suffer due to inaction, omission or error of a department.	9
36	Notional upgradation under service law-explained.	9
37	Legality of major penalty without holding a regular inquiry.	9
38	Appointing authority cannot be a judge in his own cause and act as prosecutor.	10
39	Scope for enhancement of penalty recommended by Inquiry Officer and denovo inquiry.	10
40	Qualification/experience required in the advertisement can only be challenged when the vires of Service Rules are challenged.	10
41	Degree of Ashahadat-ul-alimmiya from Wafaq-ul-Madaris is only recognized by HEC/UGC for teaching purpose.	10
42	Right of a Civil Servant to challenge deferment.	10
43	Duty of Public functionaries to decide representations within reasonable time.	11
44	Entitlement of a husband being a pensioner to receive pension of deceased wife who was also a pensioner.	11
45	Relaxation of upper age limit beyond the period prescribed by relevant law.	11
46	Successive/consecutive up-gradation, pre-conditions for up-gradation explained.	11
47	Golden Handshake Scheme supersedes the law, prevailed at the department.	12
48	Mechanism for removal of Pro-Vice Chancellor under the Universities Act, 2012.	12
49	Adhoc appointment followed by regular appointment ---- services countable towards pension	12
50	Legal import and meaning of the term "Ante-dated Promotion".	12

51	Annual Confidential Report and it's countersigning.	13
52	Compensation in service matter.	13
53	Recalling a deputationist before completion of his tenure.	13
54	Necessity of consideration of experience for post.	14
55	Principles of Locus Poenitentiae & its applicability in service matter.	14
56	Outsource employment & status of an employee of principal establishment.	14
57	Pay and allowances----terms and conditions of service	15
58	Disciplinary proceedings during Probation.	15
59	Recommendations of PSC and right for appointment.	15
60	Retrospectivity of a policy after accrual of right of a person.	15
61	Technical Allowance --- terms and conditions of service.	16
62	Vires of Law or Rules challenged before a Services Tribunal.	16
63	Previous conviction is no bar for govt. employment / appointment.	16
64	Appointment and function of Notary Public and Oath Commissioner.	16
65	Correction in date of birth after two-years of joining service.	16
66	Withdrawal of Resignation of a civil servant before or after acceptance ----its effects.	17
67	Special Allowances (i.e. Judicial, Technical and Secretariat) ---- Discrimination----jurisdiction of High Court or Service Tribunal.	17
68	Eligibility for appointment on the last date of application for appointment---cutoff date.	18
69	Rules prevailing at the time of appointment/promotion to be followed.	18
70	Right of legal heirs to challenge removal from service of their predecessor.	18
71	Deputation allowance-----terms and conditions of Service of a civil servant.	18
72	Purpose and object behind the deputation policy.	19
73	Beneficial legislation---retrospective effect.	19
74	Date for promotion of a person not at fault.	19
75	Mere Pendency of Inquiry will not deprive a Petitioner from his Promotion.	19
76	Disparity in pay scale of similarly placed persons, working in different government departments/institutions/provinees effect.	19
77	Principles for upgradation of a post in case of identical post in another province.	20

78	Even void order can be questioned within the prescribed period of limitation.	20
79	Audi alteram-partem-explained.	20
80	Exercise of jurisdiction in ignorance of a condition prescribed under the law-----“Coram non judice”.	20
81	“A communi observantia non est recedendum”-explained.	20
82	Deputation and repatriation---terms and conditions of service.	21
83	Effect of disagreement of counter signing authority with the reporting officer.	21
84	Good Character as a criterion for appointment in Govt. Service.	22
85	Legality of inquiry proceedings without service of statement of allegations.	22
86	Equality of work & pay parity.	22
87	The nature of cause of action determines survivability.	22
88	Right of a probationer for a proper inquiry in case of termination of service on ground of misconduct.	23
89	Estacode---a compendium of laws, rules and administrative instructions pertaining to terms and conditions of service of civil servant.	23
90	Completion of tenure by a deputationist.	23
91	Withholding of promotion amounts to major penalty in accordance with Civil Servants (Efficiency & Discipline) Rules, 1973.	24
92	Principles for opportunity of hearing in cases of allegation of corruption, misconduct.	24
93	Legality of summary inquiry in view of nature of charges.	24
94	Standards for integrity and character of a judicial officer laid down.	25
95	Whether filing of an application for leave give any right to a person to go on leave without its acceptance.	25

(SERVICE)

- 1. Whether the instructions, issued on the subject of writing ACRs, are directory or mandatory in nature? AND whether the requirement of counselling to precede the recording of adverse remarks is mandatory or directory in nature?**

Supreme Court	High Courts
2023 SCMR 877 PLD 2003 SC 86 1999 SCMR 2117 1999 SCMR 2141 1990 SCMR 1438	2016 PLC (C.S.) 845 Peshawar 2012 PLC (C.S.) 790 Peshawar

- 2. Obligations of the State with regard to disabled persons, in the context of recruitment to civil service, extensively discussed.**

High Courts
PLD 2017 Lahore 406

- 3. Experience provided for a post/seats to be counted after obtaining prescribed qualification.**

Supreme Court	High Courts	International Jurisdiction
1987 SCMR 78	2019 MLD 781 Peshawar 2018 PLC (C.S.) Note 63 Peshawar 2018 CLC 820 Baluchistan 2017 PLC (C.S.) Note 40 Lahore 2017 PLC (C.S.) Note 36 Peshawar 2017 PLC (C.S.) 615 Peshawar	2017 PLC (C.S.) Note 41 SC (AJ&K)

- 4. Whether recommendations of Public Service Commission would create vested right for appointment against a post?**

Supreme Court	High Courts
1996 SCMR 1017 PLD 1973 SC 144	1990 PLC (C.S.) 573 Lahore 1994 MLD 673 Lahore 1998 PLC (C.S.) 372 Karachi 2002 CLC 1692 Peshawar 1986 CLC 1408 Karachi

5. Whether the Service Rules of PCSIR (Pakistan Council of Scientific and Industrial Research) are statutory?

Supreme Court	High Courts
2019 SCMR 278	PLJ 2013 Peshawar. 174

6. Appointment or Promotion is not a vested right. The appointing authority/ departmental authority has the jurisdiction to enhance the qualification during the process of appointment/ promotion.

Supreme Court
2009 PLC (C.S.) SC 215 2007 SCMR 682 PLD 1996 SC 197 1995 SCMR 650 1990 SCMR 1321

7. Status of statutory rules-explained.

Supreme Court	High Courts
2017 SCMR 571 2017 SCMR 2010 PLD 2016 SC 377 2013 SCMR 314 2010 SCMR 1994 2004 SCMR 35 1993 SCMR 105	2020 PLC (C.S.) 1140 Lahore 2018 PLC (C.S.) 838 Lahore 2015 PLC (C.S.) 449 Lahore 2003 MLD 507 Lahore 1992 PLC 1214 Lahore PLD 1967 Lahore 657 2020 PLC (C.S.) 525 Sindh 2011 PLC (C.S.) 259 Peshawar PLD 1962 (W. P.) Peshawar 51

8. Scope for regularization of a person not on permanent job.

Supreme Court	High Courts
2020 SCMR 2068 2020 SCMR 507 2020 PLC (C.S.) SC 1002 2018 SCMR 1201 2013 SCMR 304 2013 SCMR 120 2012 SCMR 64 PLD 2011 SC 132	2020 PLC (C.S.) 86 Islamabad 2018 PLC (C.S.) 580 Lahore

9. Counting of project service towards length of service or pension.

Supreme Court	High Courts
2018 SCMR 1181, 2017 PLC(C.S.).SC 712 2016 SCMR 1602	2020 PLC (C.S.) 599 Peshawar

10. Posting of a Junior Officer on higher post as stopgap arrangement despite availability of a Senior Officer-legal effect.

Supreme Court	International Jurisdiction
2014 SCMR 1189	2017PLC(C.S.)1457SC(AJ&K) 2003 PLC(C.S.) 700SC(AJ&K

11. Rules must be followed

Supreme Court	High Courts
2019 SCMR 1952 2014 SCMR 676 PLD 1995 SC 530 PLD1990SC1092	2003 YLR 492Lahore

12. Distinction between fact finding Inquiry and regular inquiry; Under what circumstances regular inquiry may be dispensed with?

Supreme Court
2023 SCMR 291 2022 SCMR 745 2020 SCMR 1029

13. Relevance of Civil Servants (Promotion to the post of Secretary BPS-22 and Equivalent) Rules, 2010 for promotion to the post of secretary BPS-22.

High Courts
2018 PL C (C.S.) Note 170 Peshawar 2014 PLC (C.S.) 326 Lahore 2012 PLC (C.S.) 566 Lahore C.P.No. D-184 of 2018 Ghulam Qadir Tebo Vs Federation of Pakistan and others (High Court of Sindh)

- 14. An employee who is regularized on a post would be entitled to the same basic pay scale held by him prior to his regularization.**

Supreme Court	High Courts
2007 SCMR 886	2017 PLC (C.S.) Note 102 Peshawar

- 15. Consideration of higher qualification for appointment; candidate should not be penalized for acquiring higher qualification**

Supreme Court	High Courts
2015 SCMR 269	2018 PLC (C.S.) 243 Lahore 2015 PLC (C.S.) 1073 Lahore 2016 PLC (C.S.) 370 Peshawar

- 16. Whether Travelling & Departure Allowances are part and parcel of the terms and conditions of service of a civil servant?**

High Courts
2018 PLC (C.S.) Note 40 Peshawar 1997 PLC (C. S.) 189 Lahore

- 17. If a wrong benefit is extended to one person, it may not be ordered to be extended to other person in plea of equality?**

Supreme Court	High Courts	International Jurisdiction
2022 SCMR 201 2021 SCMR 1904 2011 SCMR 1239	2023 PLC (C.S.) 358 PLD 2011 Lahore 573	2007 CLC 1483 Northern Areas Court of Appeals

- 18. Plea of discrimination in Departmental proceedings.**

Supreme Court	International Jurisdiction
1996 SCMR 315	<p style="text-align: center;">Bharat Singh Versus State of Jharkhand &ors</p> <p style="text-align: center;">B.M. Rao Vs. State of Gujarat</p> <p style="text-align: center;">Amaresh Narayan Choudhury Vs. United Bank of India and Ors.</p>

- 19. An adverse action can only be reversed for lack of hearing when person against whom such action is taken has got a substantial case to plead and when giving such hearing would make a difference regarding final decision made.**

Supreme Court	High Courts
1997 SCMR 1552 2002 SCMR 769 2000 SCMR 907 2009PLC(C.S.) SC161 2005 SCMR 678	2020 PLC(C.S.) 785 Peshawar

- 20. Public Posts are to be filled through the manner provided by law. Filling such posts on acting charge basis/Adhoc or look after basis, is not according to law.**

Supreme Court	High Courts
2016 SCMR 2125 2014 SCMR 1189 2003 SCMR 291 1998 SCMR 2337 1997 SCMR 1730	PLD 2014 Lahore 591

- 21. Statutory right available to employee cannot be taken away by an executive order.**

Supreme Court	High Courts	International Jurisdiction
2015 SCMR 456 2009 SCMR 973 1998PLC(C.S.)1 306	2017 PLC (C.S.) 1128 Peshawar 2006 PLC (C.S.) 1238Lahore 2012 CLC 714Sindh 2012 CLC 655Sindh 2011 CLC 638 Peshawar 2006 PTD 1566Karachi 2005 PLC (C.S.) 1300Lahore	2002 MLD 1953Azad J&K 2016 PLC (C.S.) 287High Court (AJ&K)

- 22. Right of due hearing in service matter-explained.**

Supreme Court	High Courts
PLD 2022 SC 119 2016 SCMR 943 PLD 2012 SC 553 2010 SCMR 1933 2007 SCMR330 2005 SCMR 678 2002 SCMR 1034	2011 YLR 2710 Peshawar 2022 MLD 1081Lahore 2021 CLC 1160 Islamabad 2018 PLC (C.S.) 325 Islamabad

23. Rights/Status of a Deputationist-explained.

Supreme Court	High Courts
2022 SCMR 2047 2014 SCMR 799 2010 SCMR 378	2020 PLC (C.S.) 639 Peshawar 2016 PLC (C.S.) 875 Peshawar 2013 MLD 935 Islamabad 2011 PLC (C.S.) 203 Sindh

24. Whether a designation of a “bank officer/teller” comes within the meaning of the term “Worker”?

Supreme Court	High Courts	International Jurisdiction
2015 SCMR 434 PLD 1994 SC 273 1993 SCMR 672	2018 PLC 287 Sindh High Court	AIR 1967 SC 428, 1961 (2) FLR 219, (1961) ILLJ 18 SC 2002 (4) Bom.CR 323 Civil Appeal Nos. 1916 to 1918 of 1968 The Management of State Bank of Hyderabad Vs. Vasudev Anant Bhide and Ors.

25. Whether “Disability” or “Suitability with disability” can be a consideration for appointment under the disable quota?

Supreme Court	High Courts
PLD 2020 SC 599 2020 SCMR 24	2011 SCMR 1602 2020 PLC (C.S.) 198 Peshawar PLD 2017 Lahore 1 2012 CLC 1034 Lahore 2014 PLC (C.S.) 300 Lahore

26. Worth/value of a “Personal File” in disciplinary proceedings.

High Courts	International Jurisdiction
2018 PLC (C.S.) 15 Baluchistan 1999 PLC (C.S.) 167 Lahore 1983 PLC (C. S.) 902 Service Tribunal	Civil Appeal No. 4553 of 2012 (Arising out of S.L.P. (C) No. 1430 of 2011) Registrar General, Patna High Court Vs.

Punjab	<p>Pandey Gajendra Prasad and Ors.</p> <p>W.A. No. 440 of 1979 M.S. Sharma Vs. State of Andhra Pradesh and Ors. Matter No. 297 of 1961 Appellants: Golam Mohiuddin Vs. Respondent: State of West Bengal and Ors.</p> <p>Matter No. 297 of 1961 Appellants: Golam Mohiuddin Vs. Respondent: State of West Bengal and Ors.</p>
--------	--

27. Legal worth and status of the instructions vis-à-vis rules, regulations and law.

Supreme Court	High Courts
2023 SCMR 877 2001 SCMR 1707 2001 PLC(C.S.) SC 1253 1990 SCMR 1431 PLD 1986 SC 684 1981 SCMR 392 1992 SCMR 1427	1995 PLC (C.S.) 1165 Subordinate Judiciary Service Tribunal Punjab

28. Whether the instructions regarding the recording of Annual Confidential Report have the status of rules, made under the Civil Servants Act, 1973?

Supreme Court	High Courts
2023 SCMR 877 PLD 2003 SC 86 1999 SCMR 2117 1999 SCMR 2141 1990 SCMR 1438	2016 PLC (C.S.) 845 Peshawar 2012 PLC (C.S.) 790 Peshawar

29. Status of Chairman KP Service Tribunal-explained.

Supreme Court	High Courts	International Jurisdiction
2014 SCMR 799) 2010 SCMR 378 2007 SCMR 768 PLD 1981 SC 531 PLD 1996 SC 771	2018 PLC (C.S.) 1248Peshawar	AIR 1999 SC 1948 AIR 1991 SC 940, AIR 1998 SC 7 2018 PLC (C.S.) 205 SC (AJ&K)

		2017 CLC 926 SC (AJ&K)
--	--	---------------------------

30. Whether an authority empowered to issue an order is also equipped with the power to recall the same?

Supreme Court	High Courts
2019 SCMR 643, PLD 2013 SC 829, 2000 SCMR 907	PLD 2019 Lahore 558, 2015 MLD 1386 Lahore,

31. Administrative Actions in service matters-explained.

Supreme Court
2010 PLC (C.S.) 584 PLD 2016 SC 962 PLD 2021 SC 391

32. Mere pendency of an inquiry will not deprive a person from promotion.

Supreme Court	High Courts
2017 SCMR 399 2000 SCMR 36	2017 PLC (C.S.) 404 Lahore 2016 PLC (C.S.) 1099 2012 PLC (C.S.) 1043 2009 PLC (C.S.) 40 2008 PLC (C.S.) 551 2003 PLC (C.S.) 1496 2007 PLC (C.S.) 716 2018 PLC (C.S.) Note 66

33. Effect of changing of nomenclature of post-explained.

Supreme Court	High Courts	International Jurisdiction
2003 PLC (C.S.) 1153 2003 PLC (C.S.) 1209 1995 SCMR 1859 1991 SCMR 696	2018 PLC (C.S.) N 162 Sindh 2017 PLC (C.S.) 1142 Sindh 2012 PLC (C.S.) 108 Gilgit-B 2017 PLC (C.S.) 607 Lahore 2009 PLC 50 Lahore	2001 (2) WLC 66, 2001 (2) WLN 451 2001 (1) WLC 511, 2001 (1) WLN 403

34. Can High court interfere in the pending inquiry under E&D Rules despite the fact that the petitioner has shown distrust and there is malice or mala fide on the part of the respondent department?

Supreme Court	High Courts
1999 SCMR 2779	2018 MLD 1326 Peshawar 2017 PLC (C.S.) 260 Islamabad 2016 PLC (C.S.) 424 Peshawar 2008 MLD 1735 Karachi PLD 1998 Lahore 211 1996 PLC (C.S.) 899 Lahore

35. No one should suffer on account of inaction, omission or error on the part of department.

Supreme Court	High Courts
2008 SCMR 948 1998 SCMR 736 1996 SCMR 850 1985 SCMR 1394	2020 PLC (C.S.) 1226 2018 PLC (C.S.) Note 176 2010 PLC (C.S.) 209 2009 PLC (C.S.) 297, 2007 PLC (C.S.) 916 2003 PLC (C.S.) 321

36. Notional upgradation under service law-explained.

High Courts
2020 PLC (C.S.) 1226 Lahore 2020 PLC (C.S.) 1315

37. Legality of major penalty without holding a regular inquiry explained.

Supreme Court
2020 SCMR 1018 2017 SCMR 356 2009 SCMR 339 2008 SCMR 1369 2007 SCMR 693 2003 SCMR 207 1997 SCMR 1073

38. Appointing authority cannot be a judge in his own cause and act as prosecutor, judge and punishing authority.

Supreme Court	High Courts
1989 SCMR 551 PLD 1964 SC 64	2006PLC(C.S.)681Punjab Service Trib 2002 PLC (C.S.) 1078 Punjab Service Trib 1979 PLC 100Punjab Lab Appellate Trib

39. Scope for enhancement of penalty recommended by Inquiry Officer and denovo inquiry.

Supreme Court	High Courts
2021 SCMR 153 2014 SCMR 147 2013 SCMR 817 2008 SCMR 1174 2006 SCMR 485 PLD 2004 SC 55	2018 PLC (C.S.) 1212 2017 PLC (C.S.) 437 2007 PLC (C.S.) 518

40. Qualification/Experience required in the Advertisement can only be challenged when vires of service rules are challenged.

Supreme Court	High Courts
2019 SCMR 1021 2016 SCMR 2017	2020 PLC (C.S.) 45 2018 PLC (C.S.) Note 63

41. Degree of Ashahadat-ul-alimmiya from Wafaq-ul-Madaris is recognized by HEC/UGC only for teaching purpose.

Supreme Court	High Courts
2003 SCMR 195 PLD 2005 SC 858	2014 YLR 2000 Lahore PLD 2008 Peshawar 16

42. Mere Deferment from promotion cannot create any right in favor of the Civil Servant to challenge its validity in any tribunal or court.

Supreme Court	High Courts
1995 SCMR 881 1990 SCMR 927 1990 SCMR 1492	2018 PLC (C.S.) Note 126 Peshawar 2016 PLC (C.S.) 1099 Lahore 2003 PLC (C.S.) 1496 Lahore

43. Duty of Public functionaries to decide representations within reasonable time.

Supreme Court
2009 PLC (C.S.) 77 Peshawar 2008 PLC (C.S.) 970 Lahore 2007 MLD 1898 Lahore 2006 YLR 569 Lahore 2004 YLR 2108 Lahore

44. Entitlement of a husband being a pensioner to receive pension of deceased wife who was also a pensioner.

Supreme Court	High Courts
2021 SCMR 730	2021 PLC (C.S.) 377, PLD 2019 Karachi 1, 2011 CLC 1528, 2009 PLC (C.S.) 263, 2020 PLC (C.S.) 437, 2019 PLC (C.S.) 783.

45. Relaxation of upper age limit beyond the period prescribed by relevant law.

Supreme Court
2019 SCMR 1021

46. Successive/consecutive up-gradation, pre-conditions for -up gradation explained.

Supreme Court	High Courts	International Jurisdiction
2021 SCMR 1979, 2017 SCMR 890, 2022 SCMR 797, 2021 SCMR 1895, 2016 SCMR 859, 2015 SCMR 456	2013 PLC (C.S.) 538 Lahore	2013 PLC (C.S.) 1031SC (AJ&K)

- 47. Once Golden Handshake Scheme is opted, and availed, then an employee or his L. Rs cannot take somersault by claiming benefits under the general law.**

Supreme Court	High Courts
2018 SCMR 598, 2013 SCMR 238, 2012 SCMR 280, 2004 SCMR 1426,	2014 PLC (C.S.) 737 Lahore

- 48. Mechanism for removal of Pro-Vice Chancellor under the Universities Act, 2012.**

High Courts
2021 PLC (C.S.) 304 Lahore 2019 PLC (C.S.) 63 Lahore PLD 2017 Lahore 825 2020 PLC (C.S.) 623 Peshawar

- 49. Ad-hoc appointment followed by regular appointment----services countable towards pension.**

Supreme Court
2022 SCMR 77, 2019 SCMR 233, 2018 SCMR 1181, PLD 2016 SC 534, 1998 SCMR 969.

- 50. Legal import and meaning of the term “Ante-dated Promotion”.**

&

Whether the matter of ante-dated promotion comes within the terms and conditions of service and is only amenable to the jurisdiction of a Service Tribunal?

Supreme Court	High Courts
2022 SCMR 448 2021 SCMR 1554 2016 SCMR 1784 2021 SCMR 1281	2014 PLC (C.S.) 1363 Sindh 2021 PLC (C.S.) 1450 Islamabad 2020 PLC (C.S.) 701 Islamabad PLD 1981 Peshawar 1 2020 PLC (C.S.) 1226 Lahore 2018 PLC (C.S.) Note 65 Lahore 2022 PLC (C.S.) 635 Peshawar 2002 PLC (C.S.) 1635 Lahore

51. Annual Confidential Report and it's countersigning.

Supreme Court
PLD 1986 SC 684, 1997 SCMR 1749 PLD 2004 SC 191 1990 SCMR 1431 2011 SCMR 1381 1994 SCMR 1348 1994 SCMR 722 2007 SCMR 1251 1996 SCMR 256 2001 SCMR 1707

52. Compensation in service matter-explained.

Supreme Court	International Jurisdiction
2021 SCMR 1055 2020 SCMR 1029 2009 SCMR 1492 2009 SCMR 187	COURT OF APPEALS FOR THE THIRD CIRCUIT HARRY BELLAS v. CBS, INC.; WESTINGHOUSE PENSION PLAN, No. 99-3775. COURT OF APPEALS FOR THE NINTH CIRCUIT S.A. McELWAINE, v. US WEST, INC Nos. 97-16306, 98-15732

53. Recalling a deputationist before completion of his tenure.

Supreme Court	High Courts	International Jurisdiction
2014 SCMR 799 2010 SCMR 378 PLD 1959 SC (Pak.) 82	2021 PLC (C.S.) 1103 Lahore 2013 PLC (C.S.) 915 Islamabad 1998 PLC (C.S.) 839 Lahore	L/Nk V.H.K. Murthy vs Special Protection Group And ... on 31 January, 2000

54. Necessity of consideration of experience for post.

Supreme Court	High Courts
2017 SCMR 838	2016 PLC (C.S.) 370 Peshawar 2017 MLD 1842 Peshawar 2017 PLC (C.S.) 615 Peshawar 2017 PLC (C.S.) Note 36 Peshawar 2017 PLC (C.S.) Note 40 Lahore 2018 CLC 702 Lahore 2018 PLC (C.S.) Note 63 Peshawar

55. Principles of Locus Poenitantie & its applicability in service matter-explained.

Supreme Court	High Courts
1991 SCMR 2293 1999 SCMR 1072 2002 SCMR 210 2004 SCMR 497 2007 SCMR 318 2019 SCMR 643 PLD 1969 SC 407 PLD 2013 SC 829	2007 PLC (C.S.) 58 2002 CLD 17

56. Outsource employment & status of an employee of principal establishment.

Supreme Court	High Courts	International Jurisdiction
2021 SCMR 185 2018 SCMR 1181 2010 SCMR 1573	2020 PLC 57 Islamabad 2019 PLC (C.S.) Note 7 Peshawar 2016 PLC 107Lahore 2007 PLC (C.S.) 405Lahore 2015 PLC (C.S.) 195 Sindh 2017 PLC 148 Balochistan	1987 AIR 777 SC 1987 SCR (2) 164

57. Whether pay and allowances fall within the ambit of terms and conditions of service?

Supreme Court	High Courts
2013 SCMR 559	2020 PLC (C.S.) 345Sindh
2011 SCMR 592	2021 PLC (C.S.) 551
2003 SCMR 228	2018 PLC (CS) N 40 Peshawar
PLD 2001 SC 1032	
1994 SCMR 1263	
1991 SCMR 1041	

58. Disciplinary proceedings during Probation-explained.

High Courts
2012 PLC (C.S.) 1519Sindh
2017 PLC (C.S.) Note 34Sindh

59. Whether Recommendations of PSC gives any right for appointment?

Supreme Court	High Courts
PLD 1973 SC 144	1986 CLC 1408 Karachi
1996 SCMR 1017	1990 PLC (C.S.) 573 Lahore
	1994 MLD 673 Lahore
	1998 PLC(CS) 372 Karachi
	2000 PLC (C.S.) 225 Karachi
	2002 CLC 1692 Peshawar
	PLD 1985 Lahore 394

60. Retrospectivity of a policy after accrual of right in favour of a person, explained.

Supreme Court
2009 SCMR 249
2008 SCMR 773
1997 SCMR 1606
PLD 2007 SC 494

61. Whether Technical Allowance, comes within the ambit of terms and conditions of service?

Supreme Court
2011 SCMR 336
2021 SCMR 1554
1997 PLC (C.S.) 24SC

62. Whether Vires of Law or Rules can be challenged before a Services Tribunal?

Supreme Court	High Courts
1999 SCMR 1689	2018 PLC (C.S.) 116 Peshawar
PLD 1980 SC 153	2017 PLC (C.S.) 905 Peshawar
2019 PLC (C.S.) 995	2015 PLC (C.S.) 215 Peshawar
	PLD 1976 Quetta 59

63. Previous conviction is no bar for govt. employment / appointment.

Supreme Court	High Courts
1997 SCMR 1337. 2012 SCMR 1917. 1995 SCMR 650.	2017 PLC(CS) 926 Peshawar. 2006 CLC 258 Lahore. PLD 1963 583 Lahore. PLD 1962 47 Lahore PLD 1959 166 Lahore. PLD 1959 WP Rev 154. PLD 1959 WP Rev 62 1983 PLC (CS) 26. 1984 PLC 1102 2018 PLC (CS) 1103 Lahore 2017 PLC(CS) 862 Lahore

64. Appointment and function of Notary Public and Oath Commissioner-explained.

High Courts
2001 MLD 861N.W.F.P. Bar Council Tribunal
1987 MLD 1372 Election Commission of Pakistan.

65. Correction in date of birth after twoyears of joining service.

Supreme Court	High Courts
2013 SCMR 759	2004 PLC(CS) 1162
1998 SCMR 801	2019 PLC 233
2003 SCMR 1105	2019 PLC 115

2003 PLC(CS) 616	2018 PLC 219
2003 SCMR 444	2018 PLC(CS)N 182
1998 SCMR 1494	2018 PLC(CS)N 44
	2017 PLC(CS)N 67
	2016 PLC 377
	2015 PLC 255
	2014 PLC(CS) 1275
	2014 PLC(CS) 729
	2012 PLC(CS) 429
	2011 PLC(CS) 697
	2010 PLC(CS) 542
	1997 PLC(CS) 799
	1991 MLD 806
	1984 PLC 1232
	1984 PLC(CS) 930
	1984 PLC(CS) 628

66. Withdrawal of Resignation of a civil servant before or after acceptance ----its effects.

Supreme Court	High Courts	International Jurisdiction
2010 SC MR 1386 2007 SC MR 792 PLD 2007 SC 52 2000 SCMR 890 1993 SCMR 2137 1991 SCMR 440 2002 PLC (C. S.) 1155 2015 PLC (C.S.) 337	2010 MLD 527 Sindh 1999 PLC (C.S.) 738 1984 PLC (C. S.) 643	AIR 1954 SC 584

67. Special Allowances (i.e. Judicial, Technical and Secretariat) Discrimination----jurisdiction of High Court or Service Tribunal.

Supreme Court	High Courts	International Jurisdiction
2011 SCMR 336	2018 PLC (C.S.) Note 40 P LD 2011 Peshawar 131 2015 PLC (C.S.) 682 2003 PLC (C.S.) 1057 PLD 2011 Karachi 451 2019 PLC (C.S.) 238 2011 PLC (C.S.) 231 2007 PLC (C.S.) 285 2019 PLC (C.S.) 856 2016 G B L R 37	

68. Eligibility for appointment on the last date of application for appointment---cutoff date.

Supreme Court	High Courts
2020 SCMR 568 2019 SCMR 1720 1990 SCMR 1321	2018 PLC (C.S.) Note 168 Peshawar PLD 2010 Lahore 160 2021 PLC (CS) 258

69. Rules prevailing at the time of appointment/promotion are to be followed.

Supreme Court	High Courts
2015 SCMR 1418 2013 SCMR 264 PLD 2006 SC 472 PLD 2003 SC 143 2002 SCMR 772 1997 SCMR 1043 1990 SCMR 1524	2018 PLC (C.S.) Note 168 Peshawar 2014 PLC (C.S.) 769 2008 PLC (C.S.) 1034 2017 PLC (C.S.) 220 2016 PLC (C.S.) 896 2021 PLC (CS) 258

70. A Civil servant who had more than 25 years of service at his credit was proceeded by the department for his absence and was removed from service. He filed an appeal before the Service Tribunal and due to his death, the said appeal was abated. Legal heirs of a deceased civil servant can pursue their remedy before the High Court through a constitutional petition challenging the order of removal of their predecessor.

High Courts
2013 SCMR 392 PLD 2008 SC 703 1991 SCMR 1192 2015 PLC (C.S.) 1442

71. Deputation allowance forms part of the terms and conditions of Service of a civil servant.

Supreme Court	High Courts	International Jurisdiction
2010 SCMR 378 1997 PLC (C.S.) 24 SC	2015 P LC (C.S.) 824 Peshawar 2003 P LC (C. S.) 243 Lahore 2015 PLC(C.S.) 1513 Balochistan 2013 PLC (C.S.) 391 Islamabad 2013 PLC (C.S.) 915 Islamabad 2017 PLC (C.S.) 191 Islamabad 2011 PLC(C.S.) 513 Sindh	2014 PLC (C.S.) 361 AJ&K

72. Purpose and object behind the deputation policy-explained.

High Courts
2017 PLC (C.S.) Note 32 Peshawar
2015 PLC (C.S.) 1304 Islamabad
2017 PLC (C.S.) 491 Balochistan
2016 PLC (C.S.) 259 Sind
1996 PLC (C.S.) 134 Lahore

73. Beneficial legislation---retrospective effect.

Supreme Court	High Courts
2005 SCMR 492	2019 PTD 381 Lahore
PLD 1997 SC 582	2014 PLD 72 Lahore
1997 SCMR 1244	2016 PTD 427 Sindh
1993 SCMR 819	
1993 SCMR 73	

74. When petitioner is not at fault qua his promotion, then, he is to be promoted from the date when his juniors were promoted.

Supreme Court	High Courts
2016 SCMR 1784	2020 PLC (C.S.) 1055 Peshawar.
2011 SCMR 389	2018 PLC (C.S.) Note 65 Lahore.
2008 SCMR 1138	2018 PLC (C.S.) 519 Islamabad
2007 SCMR 355	
2005 SCMR 80	
2004 PLC (C.S.) 724	
1997 PLC (C.S.) 512	

75. Mere Pendency of Inquiry will not deprive a Petitioner from his Promotion.

Supreme Court	High Courts
2017 SCMR 399	2018 PLC (C.S.) Note 66 Peshawar
2000 SCMR 36	2016 PLC (C.S.) 1099 Lahore
	2012 PLC (C.S.) 1043 Lahore
	2009 PLC (C.S.) 40 Lahore
	2007 PLC (C.S.) 716 Karachi
	2003 PLC (C.S.) 1496 Lahore

76. Disparity in pay scale of similarly placed persons, working in different government departments/institutions/provinces—effect

Supreme Court	High Courts	International Jurisdiction
2016 SCMR 859	2019 PLC (C.S.) 721 Peshawar	2019 PLC (C.S.) Note 43 Gilgit-B
2014 SCMR 1687		

2003 PLC (C.S.) 1289 PLD 1993 SC 375 1991 SCMR 1041	2017 PLC (C.S.) Note 35 Sindh 2013 PLC (C.S.) 592 Sindh 2011 PLC (C.S.) 1387 Quetta 2002 PLC (C.S.) 427 Peshawar	2014 PLC(C.S.) 1299 HC (AJ&K)
---	---	-------------------------------

77. Upgradation in one province cannot be claimed as a matter of right by the incumbents of identical post in another province.

Supreme Court	High Courts
2015 SCMR 915	1997 PLC (C.S.) 336 Sindh Service Tribunal

78. A void order can be questioned within the prescribed period of limitation

Supreme Court
2023 SCMR 866 2023 SCMR 291 2021 SCMR 1158 2020 SCMR 2046 PLD 2014 SC 585

79. Audi alteram partem-explained.

Supreme Court
2018 SCMR 1009 2016 SCMR 1961 2015 SCMR 1550

80. When a law prescribes a condition for exercise of jurisdiction and the jurisdiction is exercised in ignorance of such a condition, it cannot be called as a valid exercise of jurisdiction (Coram non judice).

Supreme Court	High Courts
2022 SCMR 1893 2020 SCMR 502 2017 SCMR 1249	2020 PLC 27 Islamabad 2020 YLR 578 Sindh 2019 PLC (C.S.) 488 Peshawar 2019 PLC (C.S.) 1167 Lahore

81. “A communiobservantia non est recedendum” (When law requires a thing to be done in a particular manner, it has to be done in that manner and not otherwise)

Supreme Court	High Courts
PLD 2018 SC 189 2007 SCMR 1086	2021 YLR 1206 Lahore 2021 PLC (C.S.) 366 Peshawar

2006 SCMR 129	2021 PCr.LJ 1145 Lahore 2021 PCr.LJ 412 Balochistan 2015 PCr.LJ 923 Lahore 2015 YLR 1105 Sindh 2015 PLC (C.S.) 460 Islamabad 2013 PCr. L J 244 Sindh
---------------	---

82. Matters with regard to deputation and repatriation would relate to the terms and conditions and constitutional jurisdiction of High Court would be barred.

Supreme Court of Pakistan	High Courts
1990 SCMR1238	2005 PLC (C.S.) 762 Lahore 2015 PLC (C.S) 824 Peshawar 2016 PLC (C.S.) 1209Lahore 2016 PLC (CS) 341 2022 PLC (C.S) 1209 Lahore 1999 PLC(CS) 136 Lahore 2006 PLC (CS) 90 Quetta

83. When the counter signing authority disagrees with the reporting officer then what would be the criteria for the former justifying his disagreement?

Supreme Court of Pakistan	High Courts
2011 SCMR 1381 PLD 2004 SC 191 1999 SCMR 2117 1997 SCMR 1749 1994 SCMR 1438 1990 SCMR 1431 PLD 1986 SC 684	2004 PLC (CS) 236 Lahore 2001 PLC(C.S.) 1253 Lahore

84. Good Character is an eligibility criterion for appointment in Govt. Service. initial requirement is subject to the verification of character of the candidate to the satisfaction of appointing authority.

Supreme Court	High Court
1995 SCMR 650	2018 PLC (CS) 1103 Lahore 2017 PLC (CS) 862 Lahore 2017 PLC (CS) 926 Peshawar 2006 CLC 258 Lahore 1963 PLD 583 Lahore

85. Inquiry proceedings conducted in absence of service of statement of allegations on civil servant would be void.

Supreme Court
2008 SCMR 609

86. Equality of work is the paramount consideration for claiming pay parity. "Equality in work", as would entitle invocation of the doctrine, denotes work that is functionally, hierarchically, qualitatively and quantitatively equal, with equal sensitivity and confidentiality.

High Courts	International Jurisdictions
2019 PCL (CS) 238 2004 PLC (CS) 586 Lahore 2002 PLC (CS) 427 Peshawar	2010 (3) SLR 677 2018 (2) Delhi 315 2013 (4) JKJ 319 2003 (106) DLT 59 1995 SCT 322

87. The nature of cause of action determines survivability. The common law maxim; actionpersonalismoritur cum persons; applicability in cases of service appeal.

Supreme Court	High Court	International Jurisdiction
2006 SCMR 1287	2005 PLC (C.S.) 271Lahore	(1986) ILLJ 229 Mad

88. If the service of a probationer is terminated on the ground of unsatisfactory work that will not amount to dismissal or removal from service, such termination will be in term of the contract or the rules made by the government but if the service of a probationer is terminated on the ground of misconduct that will amount to removal or dismissal. The probationer will be entitled to show cause notice and a proper inquiry against him must be done.

Supreme Court	High Courts
PLD 1974 SC 393	2017 PLC (CS) Note 34 Sindh
1970 SCMR 241	2012 PLC (CS) 1519 Sindh
PLD 1956 SC 431	
PLD 1956 SC 331	
PLD 1958 SC 258	

89. Estacode---a compendium of laws, rules and administrative instructions pertaining to terms and conditions of service of civil servant.

Supreme Court
2021 PLC (CS) 777

90. Deputationist may not necessarily complete tenure for which he/she was sent on deputation. Power is vested with Competent Authority to repatriate a deputationist without assigning any reason.

Supreme Court
2021 PLC (CS) 777
2020 PLC (CS) 815
2015PLC (CS) 1381
2014 SCMR 799
2013 PLC (CS) 915
2010 SCMR 378
2010PLC (CS) 1377

91. Promotion is not a right but an officer deserves that his case should be considered for promotion in accordance with law. Withholding of promotion amounts to major penalty in accordance with Civil Servants (Efficiency & Discipline) Rules, 1973.

Supreme Court	High Courts
2010 SCMR 1301	2017 PLC (CS) 115 Islamabad
2000 SCMR 645	2008 PLC(CS) 1121 Lahore
	2012 PLC (CS) 1043 Lahore

92. It is the requirement of natural justice that in any inquiry proceedings against a civil servant or an employee of public sector organization when there are serious allegations of corruption misconduct, not only the prosecution has to bring home all the charges but the accused officer should be given a fair opportunity to defend himself. He should specifically know what are the allegations against him.

Supreme Court	High Courts
2002 SCMR 433	2023 PLC (CS) 650
1998 SCMR 1970	
1989 PLC CS 318	
1988 PLC CS 502	

93. If an accused civil servant/employee is charged with misconduct of the nature which cannot be proved without holding of regular enquiry, the removal or dismissal from service of a civil servant on the basis of summary enquiry is not sustainable at law.

Supreme Court	High Courts
2013 SCMR 1707	2021 PLC (C.S.) 235 Peshawar
2001 SCMR 1566	2018 PLC (C.S.) Note 70 Lahore
1998 SCMR 1445	2019 PLC (C.S.) 672 Islamabad
1996 PLC (C. S.) 873	

94. Standards for integrity and character of a judicial officer laid down.

Supreme Court
PLD 2004 Supreme Court 191

95. Whether filing of an application for leave give any right to a person to go on leave without its acceptance

Supreme Court	High Courts
2019 SCMR 919 2011 SCMR 1429 2011 SCMR 1302	2017 PLC (C.S) 1434 Islamabad 2014 PLC 215 2005 PLC (C.S.) 1042Sindh



TAX

TAX

1	Escalation charges or cost escalation- explained.	1
2	Concept of the word "Manufacturing" in view of Sale Tax Act, 1990	1
3	High Court has the Jurisdiction to determine the question of fact arising out of the Judgment of the Tribunal while hearing a Tax reference under Income Tax Ordinance, 2001.	1
4	The concept of Implied Repeal under Section 13(1), 13(2) of the Sales Tax Act, 1990 and Interpretation of a provision related to exemption from tax.	1
5	Principles of Interpretation of a fiscal statute.	2
6	Legal import and interpretation of the word "accrued", appearing in S.23 (2)(xxi) of the Income Tax Ordinance, 1979. & What is "Suspense Account" in commercial parlance?	2
7	Confiscation of currency under Customs Act, 1969.	3
8	Effect of non-extension of income tax laws to ex-PATA/FATA.	3
9	Explanation of Tax Fraud" u/s 37A & B of the Sales Tax Act, 1990	3
10	Legal effect of condonation of delay in filing for repayment of custom duty by the Tribunal, while exercising powers under section 194-B of the Customs Act, 1969 in negation of Notification SRO 93 I (I)/2007 dated 10-09-2007.	4
11	Legality of search/raid without warrant under Federal Excise Act, 1944 and Sales Tax Act, 1990.	4
12	Applicability of principle of Res-Judicata in Income Tax cases in respect of re-opening/re-assessment.	4
13	Meaning & concept of "Agricultural produce" under Sales Tax Act, 1990	5
14	Concept of "Letter of credit" and scope of its amendments.	5
15	Determination of tax liability U/S.7 of the Sales Tax Act, 1990.	5
16	Treaties would prevail over the provisions of income tax laws.	5
17	Evidentiary value of Audit para in financial matters.	5
18	Principle of burden of proof and its shifting as laid out in Section 187 Sub-section 2 or Section 156 of the Customs Act of 1969.	6
19	Literal and harmonious Interpretation of fiscal laws.	6
20	Discrimination per-se is no ground to strike down a statute.	7
21	Effect of S.R.O. No.1017(I)/98, dated 21st July, 1998 prescribing limit for bringing into or taking foreign currency out of Pakistan	7
22	Meaning & interpretation of the terms "Satisfaction" and "Satisfied" in fiscal laws.	7
23	Independent Reference in High Court has to be filed in each case wherein judgment has been rendered by learned Appellate Court, irrespective of the fact that the different issues are arising	7

	out of one and the same judgment.	
24	Essentials of Notification.	8
25	Legality of tax on Judicial Allowance.	8
26	Is charging section in a taxing statute, construed strictly? How a taxing provision will be interpreted when two or more interpretations are possible? Can vires of taxing laws be challenged under the writ Jurisdiction of a High Court	9
27	Unjust Enrichment tax explained.	9
28	Retrospectivity of beneficial legislation in fiscal matter?	9
29	Mode and manner of recovery of chargeable duty under the Sales Tax Act, 1990.	10
30	Exemption of Evacuee Trust Property from property tax under the Cantonments' Act, 1924.	10
31	Nature and scope of proceedings before Special Judge Customs and Customs Authorities.	10
32	Scope of Section 187 of the Customs Act, 1969.	11
33	Limitation in the matter of filing Custom Reference before the Court.	11
34	Customs clearing agent/can be held criminally liable if documents (export documents- Form F) are found to be fake.	12
35	Income Tax and Property Tax---definition and distinction- Imposition of tax u/s 60 of the Cantonments Act, 1924.	12
36	Differences between the application of Section 30 and 30(a) of the Customs Act regarding the rate of duty vis-a vis the date.	12
37	In a tax reference if a question of law is not framed even then the court can answer any legal issue arising out of the judgement of the Tribunal.	12
38	The Commissioner Appeal can remand the case to the lower forum under Section 45-B (3) of the Sales Act, 1990.	13
39	Interpreting a specific provision of a taxing statute, the intent of the legislature is a determinative factor.	13
40	Meaning of the phrase "prescribed by law" mentioned in Article 18 of the Constitution regarding freedom of trade, business and profession.	13
41	General provision in a tax statute cannot operate to control a special provision in the same statute.	13
42	Whether custom authorities under Custom Act can confiscate Bullies of Gold from a person without giving him, a chance of declaration, when such person has not even left that custom area?	14
43	Can section 37A of the Act be employed to select or pick a taxpayer out of the pool of self assessed taxpayers to undergo criminal prosecution without first carrying out an objective selection process of audit followed by assessment of tax under section 11 & 25 of the Sales Tax Act 1990?	14
44	Tax credit is not allowed under Sales Tax Act, 1990.	15
45	How the charge of Sales Tax is levied and from whom it can be	15

	recovered?	
46.	The officers notified under Section 6 of the Customs Act, 1969 can only seize the goods and give it in the custody and care of the Customs authorities and not the police officials/officers.	15
47	Sub-section (4) to Section 81 is a penal provision incorporated in the scheme for the benefit of the assessee/importers/exporters.	16
48	Taxability of salaries of employee of Federal Govt. and Provisional Govt. working in PATA and FATA.	16
49	The buildings rented out by Auqaf Department for commercial purposes are not exempt from tax.	16
50	Alternative Minimum Tax -explained.	16
51	Where government owns, controls and manages a corporation such corporation cannot claim any privilege or immunity to the disadvantage of its competitors.	17
52	Principle of burden of proof for criminal administration of justice under taxing statutes.	17
53	Goods seized neither mentioned in S. 2(s) nor in any notification issued thereunder-- Such goods cannot be treated as smuggled goods.	17
54	Release of a confiscated vehicle carrying smuggled goods cannot be sanctioned in lieu of payment of a redemption fine	17

TAX

1. Escalation charges or cost escalation- explained.

High Courts
2021 YLR 736 Peshawar 2015 CLC 649 Peshawar 2009 MLD 1383 Karachi 2001 MLD 18 Lahore

2. Concept of the word “Manufacturing” in view of Sale Tax Act, 1990.

Supreme Court
PLD 2017 SC 99 2006 PTD 730 2000 SCMR 1708 2001 SCMR 1376 PLD 1965 SC 161

3. High Court has the jurisdiction to determine the question of fact arising out of the judgment of the Tribunal while hearing a Tax reference under Income Tax Ordinance, 2001.

Supreme Court	High Courts
2014 SCMR 907 2015 SCMR 1383	2019 PTD 1219 Peshawar 2015 PTD 796 Peshawar 2020 PTD 962 Lahore 2020 PTD 917 Lahore 2020 PTD 873 Lahore 2020 PTD 799 2017 PTD 2212 Sindh 2017 PTD 756 Sindh

4. The concept of Implied Repeal under Section 13(1), 13(2) of the Sales Tax Act, 1990 and Interpretation of a provision related to exemption from tax.

Supreme Court	High Courts	International Jurisdiction
PLD 1975 SC 397 PLD 1961 SC 119 PLD 1988 SC 370 PLD 1970 SC 439 1986 SCMR 1917 1993 SCMR 941	2004 PTD 1759 Lahore	AIR 1993 AP 338 AIR 1962 SC 955 AIR 1958 SC 538 AIR 1983 SC 150 AIR 1939 Cal 435

2019 PTD SC1299 2019 SCMR 574 2019 SCMR 574		
---	--	--

5. Principles of Interpretation of a fiscal statute.

Supreme Court	High Courts
2020 SCMR 1157 2019 SCMR 235 2006 SCMR 1577 PLD 1963 SC 137	2016 PTD 2685 Islamabad 2016 PTD 2004 Lahore PLD 2015 123 Sindh

6. Legal import and interpretation of the word “accrued”, appearing in S.23 (2)(xxi) of the Income Tax Ordinance,1979.

&

What is “Suspense Account” in commercial parlance?

Supreme Court	High Courts	International Jurisdiction
2019 SCMR 1011	2006 PTD 1400 Karachi	1954 AIR 470 1955 SCR 599 1971 AIR 2396 1972 SCR (1) 970 1966 AIR 30 1965 SCR (3) 818 1962 46 ITR 144SC AIR 1960 SC 1336 1960 30 Compase 293 SC 1960 39 ITR 8 SC 1959 AIR 1165 1960 SCR (1) 185 1953 AIR 527 1954 SCR 258 (2013) 262 CTR (SC) 261 AIR 1951 Mad 551, 1950 18 ITR 333 Mad 1986 AIR 757 1986 SCR (1) 25 1994 AIR 2416 1994 SCC (4) 375.

		1999 96 CompCas 275 Mad 1999 236 ITR 357 Mad 1985 155 ITR 246 Ker
--	--	--

- 7. Confiscation of currency under section 2(s) of the Customs Act, 1969 read with subsection (8) of section 156 of the Act.....declaration of goods in terms of section 139 read with S.3(3) of the Imports and Exports (Control), Act,1950 and Foreign Exchange Regulation, Act 1947.**

Supreme Court	High Courts
2002 SCMR 1527	2021 PTD 962 Peshawar 2021 PTD 501 Islamabad

- 8. Effect of non-extension of income tax laws to the Ex-PATA/FATA.**

Supreme Court	High Courts
2008 PTDSC 169 2003 PTD SC 1913	2021 PTD 795 Peshawar 2019 PTD 1652 Peshawar 2016 PTD 203 Peshawar 2010 PTD 438 Peshawar 2007 PTD 526 Peshawar 2006 PLC (C.S.) 1311 Peshawar 2003 PTD 2083 Peshawar 2000 PTD 803 Peshawar

- 9. Explanation of “Tax Fraud”under Section 37A & B of the Sales Tax Act, 1990.**

High Courts
2014 PTD 1733Sindh 2021 PTD 1047 Islamabad 2020 PTD 925 Lahore 2017 PTD 1875 Lahore

- 10. Legal effect of condonation of delay in filing for repayment of custom duty by the Tribunal, while exercising powers under section 194-B of the Customs Act, 1969 in negation of Notification SRO 93 I (I)/2007 dated 10-09-2007.**

Supreme Court	High Courts	International Jurisdiction
2023 SCMR 503 2009 SCMR 1421 PLD 1998 SC 64	2000 CLC 1232 Karachi 2003 PTD 593 Karachi PLD 2002 Karachi 343	PLD 2007 SC (AJ&K) 1 AIR 1979 SC 1144, 1985 (5) ECR 2310 SC, 1979 (4) ELT 396 SC, (1979) 4 SCC 176, 1979 (11) UJ 157 SC 317 ITR 218

- 11. Search/raid without warrant under Federal Excise Act, 1944 and Sales Tax Act, 1990---- its legality.**

Supreme Court	High Courts
2020 SCMR 105 2007 PTD SC 2356 2007 SCMR 1039 2005 SCMR 1166 2003 PTD SC 1034	2021 PTD 822 Peshawar 2021 PTD 1379 Lahore 2015 PTD 1520 Lahore 2013 PTD 1760 Lahore 2004 PTD 1731 Lahore

- 12. Applicability of principle of Res Judicata in Income Tax cases in respect of re-opening/re-assessment.**

Supreme Court	High Courts	International Jurisdiction
PLD 1992 SC 562 1993 PTD 1108 2019 SCMR 158	2022 PTD 1752 Sindh 1963 PTD 709 Dacca Pakistan	Commissioner Of Income Tax vs M/S Escorts Ltd. on 1 February, 2011

13. Meaning & concept of “Agricultural produce” under Sales Tax Act, 1990.

High Courts
1960 PTD 954 Privy Council

14. Concept of “Letter of credit” and scope of its amendments.

Supreme Court	High Courts
2014 SCMR 1821 1986 SCMR 1917	2014 CLD 975 Islamabad 2020 PTD 213 Sindh, 2014 PTD 883 Lahore High Court 2020 PTD 213 Sindh High Court

15. Determination of tax liability under Section 7 of the Sales Tax Act, 1990.

Supreme Court	High Courts	International Jurisdiction
2022 SCMR 722 2007 SCMR 1705 1999 PTD 1892	2017 PTD 2380 Lahore 2006 PTD 2066 Karachi	1999 (1) SCR 295 106 (2008) T CL 245, (2008) 15 VST 228 Orissa

16. Convention for Avoidance of Double Taxation between the Islamic Republic of Pakistan and the Govt. of United Arab Emirates-----treaties would prevail over the provisions of income tax laws.

Supreme Court	High Courts
2023 SCMR 1055 2023 SCMR 1011 2017 SCMR 140 2020 SCMR 494	2016 PTD 1436 Islamabad

17. Evidentiary value of Audit para in financial matters

High Courts
PLD 2020 Lahore 801 2016 CLC 1169 Islamabad 2002 YLR 2209 Peshawar

18. Principle of burden of proof and it's shifting as laid out in Section 187 Sub-section 2 or Section 156 of the Customs Act of 1969.

Supreme Court
1980 SCMR 114 2009 SCMR 226 1991 SCMR 1951

19. Literal and harmonious Interpretation of fiscal laws.

Supreme Court	High Courts	International Jurisdiction
PLD 2012 SC1089 1992 SCMR 710	2019 PTD 25Peshawar	1979 AIR 1980 SC 485 1980 (2) SCR 268; 1980 (1) SCC 370 2002 AIR SCW 1618 (2002) 4 SCC 539 1990 (1) SCR 243; 1990 (2) SCC 231; 1990 (1) JT 235; AIR 1991 SC 604; 1990 (4) JT 293; AIR 1991 SC 284, 1990 SCR Supl. (2) 573.

20. Discrimination per-se is no ground to strike down a statute.

Supreme Court
PLD 2020 SC 320
2015 SCMR 173
PLD 2014 SC 389
PLD 1997 SC 351
PLD 1969 SC 623
PLD 2010 SC 265
2004 SCMR 1903
PLD 1999 SC1026
1992 SCMR 563
1991 SCMR 1041

21. Effect of S.R.O. No.1017(I)/98, dated 21st July, 1998, prescribing limit for bringing into or taking foreign currency out of Pakistan.

Supreme Court	High Courts
2009 SCMR 304 2006 SCMR 1609	2021 PTD 501,

22. Meaning & interpretation of the terms “Satisfaction” and “Satisfied” in fiscal laws.

Supreme Court	High Courts
PLD 2003 SC 442, PLD 1999 SC 57, 1989 SCMR 1145,	2021 PTD 1813, 2010 CLC 333, PLD 2010 Lahore 332, PLD 2006 Lahore111, 1991 MLD 2394 Lahore

23. Independent Reference in High Court has to be filed in each case wherein judgment has been rendered by learned Appellate Court, irrespective of the fact that the different issues are arising out of one and the same judgment.

Supreme Court	High Courts	International Jurisdiction
1997 PTD 500	2019 MLD 433 Sindh, 2011 PTD 2849 Sindh	213 I T R 563Kerala High Court (India) Indian Oil Corporation Ltd. ... Vs Collector Of Central Excise on 3 May, 1983 Ekantika Copiers (P) Ltd. Vs Collector of Central Excise on 22 March, 1991

24. Essentials of Notification.

High Courts
2007 CLD 1092Karachi 2017 PLC (C.S.) 510Sindh PLD 2005 Karachi 498

25. Legality of tax on Judicial Allowance.

High Courts
2020 PTD 2200Sindh 2018 PTD 80 Peshawar

26. Is charging section in a taxing statute, construed strictly? How a taxing provision will be interpreted when two or more interpretations are possible? Can vires of taxing laws be challenged under the writ Jurisdiction of a High Court?

Supreme Court	High Courts
2019 SCMR 1053	2020 PTD 1186 Lahore
2017 SCMR 884	2017 PTD 1 Sindh
PLD 2016 SC 398	2016 PTD 461 Lahore
PLD 1997 SC 582	2001 PTD 2982 Karachi
1996 SCMR 1470	
2013 SCMR 34	
PLD 2001 SC 340	

27. Unjust Enrichment in tax matters.

Supreme Court	High Courts	International Jurisdiction
PLD 2021 SC 327	PLD 2017 Lahore 111	Modi_SugarMillsLtdvs Union of India
2018 SCMR 1956		Uoion14March1984
2017 SCMR 907		Great EasternShippingCoLtdv sUnion
2016 SCMR 1637		Of India on 13 May1981
		StateOfRajasthanvsRag hunath
		Singhon9March1973

28. Retrospectivity of beneficial legislation in fiscal matter?

Supreme Court	High Courts
2012 SCMR 1698	2021 PTD 1094 Sindh 2014 CLD 272
2021 SCMR 1246	Lahore
2022 SCMR 426	

29. Mode and manner of recovery of chargeable duty under the Sales Tax Act, 1990.

Supreme Court	High Courts
2005 SCMR 132 2001 PTD SC 2383 2007 PTD SC 2410	2018 PTD 1413 Islamabad 2017 PTD 2123 Karachi. 2014 PTD 284 Karachi. 2014 PTD 284 Karachi. 2014 PTD 752 Islamabad 2009 PTD 519 Lahore.

30. Exemption of Evacuee Trust Property from property tax under the Cantonments' Act, 1924.

High Courts
2014 PTD 136 Sindh 1975 PLD 717 Lahore PLD 1975 717 Lahore

31. Nature and scope of proceedings before Special Judge Customs and Custom Authorities.

Supreme Court	High Courts
2002 SCMR 1527 2017 SCMR 722 PLD1989 SC377 PLD 2003 SC 250	2015 PTD 851 Peshawar 2010 PTD 160 Customs 2004 PTD 1189 Karachi. 2004 PTD 559 Karachi. 2014 PTD 42 Karachi. 2013 PTD 210 Karachi 2012 PTD 1697 Customs 2009 YLR 1404 Karachi. 2001 PCRLJ 314 1996 PCRLJ 1226 Fed. 1989 PCRLJ 1190 Lahore. 1987 PCRLJ 9 Karachi. 1989 PCRLJ 1190 Lahore.

32. Scope of Section 187 of the Customs Act, 1969.

Supreme Court	High Courts	International Jurisdiction
2017 SCMR 585 2005 SCMR 1011 1993 SCMR 311 1992 SCMR 696 1991 SCMR 647 2017 SCMR 585 1980 SCMR 114	2020 PTD 627 2020 PTD 526 2020 PTD 324 2019 PTD 1716 2019 PTD 2092 2019 PTD 876 2018 PTD 917 2018 PTD 2066 2018 PTD 1056 2018 PTD 726 2017 PTD 2217 2017 PTD 1391 2015 PTD 1733 2015 PTD 2480 2005 PTD 1813 1975 PCr.LJ 797	Babulal Amthalal Mehta vs Collector of Customs Calcutta on 8 May, 1957 AIR 1965 SC 476, 1964 SCR (4) 708 Commissioner of Customs ... vs Vijay Dasharath Patel on 8 March, 2007

33. Limitation in the matter of filing Custom Reference before the Court.

Supreme Court	High Courts
2020 SCMR 246	2015 PTD 107 2020 PTD 568 Islamabad. 2017 PTD 1207 Sindh 2016 PTD 900Sindh 2016 PTD 900Sindh 2016 PTD 55 Sindh 2014 PTD 742 Sindh 2013 PTD 651 2016 PTD 900 Sindh

34. Customs clearing agent/can be held criminally liable if documents (export documents- Form F) are found to be fake.

High Courts
2020 PTD 645 2016 PTD 548 2014 PTD 1 2013 PTD 2258 2008 YLR 767 PLD 1989 Lahore 47

35. Income Tax and Property Tax---definition and distinction imposition of taxation under Section 60 of the Cantonments Act, 1924.

Supreme Court	High Courts
2015 SCMR 832 2006 SCMR 1599 PLD 2004 SC 743	PLD 2011 Lahore 165 2011 MLD 1006Karachi 2010 PTD 1913 Peshawar 2007 YLR 1681 Lahore.

36. Differences between the application of Section 30 and 30(a) of the Customs Act regarding the rate of duty vis-a vis the date.

Supreme Court	High Courts
2007 SCMR 1318 1999 SCMR 412 1998 SCMR 2173 1993 SCMR 17	2005 PTD 2547 2002 CLC 616 PLD 1988 Lahore 563 2004 PTD 901 2000 PTD 1167 1989 CLC 1463

37. In a taxreference if a question of law is not framed even then the court can answer any legal issue arising out of the judgement of the Tribunal.

Supreme Court
2017 SCMR 1006

38. The Commissioner Appeal can remand the case to the lower forum under Section 45-B (3) of the Sales Act, 1990.

High Courts
2020 PTD (Trib.) 614 2018 PTD (Trib.) 1244 2017 PTD (Trib.) 373 2015 PTD (Trib.) 931

39. Interpreting a specific provision of a taxing statute, the intent of the legislature is a determinative factor.

Supreme Court	High Courts
1993 SCMR 683 PLD 1991 SC 630	2020 PTD 27 Sindh 2019 PTD 2209 Sindh 2018 PTD 1089 Islamabad

40. What is meant by the phrase “prescribed by law” mentioned in Article 18 of the Constitution regarding freedom of trade, business or profession.

Supreme Court	High Courts
PLD 2020 SC 1 2019 SCMR 124 PLD 2014 SC 1 PLD 2011 SC 44	PLD 2018 Lahore 509 2020 MLD 1360 Lahore

41. General provision in a tax statute cannot operate to control a special provision in the same statute.

Supreme Court
2014 SCMR 1268 PLD 1991 SC 143 PLD 1997 SC 84

- 42. Whether custom authorities under Custom Act can confiscate from a person three Bullies of Gold without giving him, a chance of declaration, when such person has not even left that custom area?**

Supreme Court	High Courts
2008 SCMR 438	2020 YLR 760
2006 SCMR 705	2015 PTD 2033
2002 SCMR 1527	2011 P CrLJ 238
PLD 1986 SC 192	1989 MLD 4051
PLD 1969 SC 446	1988 P CrLJ 213
	1987 MLD 1602
	1984 P CrLJ 1133
	1980 PCr.LJ 663

- 43. Can section 37A of the Act be employed to select or pick a taxpayer out of the pool of self assessed taxpayers to undergo criminal prosecution without first carrying out an objective selection process of audit followed by assessment of tax under section 11 & 25 of the Sales Tax Act 1990?**

Supreme Court	High Courts
2003 PTD 1034	2021 PTD 521 Lahore
	2017 PTD 590 Lahore
	2014 PTD 1807 Lahore
	2014 PTD 1506 Lahore
	2013 PTD 713 Lahore
	2006 PTD 378 Lahore
	2006 PTD 494 Lahore

44. Tax credit is not allowed under Sales Tax Act, 1990.

High Courts
2021 PTD 43 Lahore
2021 PTD 347 Karachi
2020 PTD 1641 Lahore
2016 PTD 648 Karachi
2006 PTD 2821 Karachi
2006 PTD 2066
2005 PTD 2067 Lahore
2002 PTD 2959 Lahore

45. How the charge of Sales Tax is levied and from whom it can be recovered?

Supreme Court of Pakistan	High Courts	International Jurisdictions
2017 SCMR 884	2008 PTD 103 Lahore	AIR 1963 SC 1062
PLD 2016 SC 398	2006 PTD 162 Lahore	AIR 1966 SC 1295
2013 PTD 1491	2001 PTD 2982 Karachi	(2015) 1 SCC 1
2005 PTD 1933		

46. The officers notified under section 6 of the Customs Act, 1969 can only seize the goods and give it in the custody and care of the Customs authorities whereas, the Police officers neither notified nor authorized officers of customs within the meaning of sections 2(b), 3, 4, and 6 of the Customs Act, 1969 to detect or detain the goods and handover the same to the customs authorities and any such action taken by them within the provisions of the Customs Act, 1969 is illegal.

High Court
2013 PTD (Trib.) 327
1991 MLD 228 Quetta
2019 PTD (Trib.) 739

47. Sub-section (4) to Section 81 is a penal provision incorporated in the scheme for the benefit of the assessee/importers/exporters to save them from unnecessary harassment by the Custom Authorities by way of lingering on the cases for indefinite period on the pretext of finalizing the assessment.

Supreme Court	High Court
2023 SCMR 1421	2006 PTD 1276
2015 SCMR 1488	2005 PTD 2116

48. Taxability of salaries of employees of Federal Govt. and Provisional Govt. working in PATA and FATA.

Supreme Court	High Court
2017 PTD1561 SC	2019 PTD 1652Peshawar 2006 PLC (CS) 1311 Peshawar 2012 PTD 751

49. The buildings rented out by Auqaf Department for commercial purposes are not exempt from tax.

Supreme Court	High Court
	2001 MLD 1660

50. Alternative Minimum Tax-explained.

Supreme Court	High Court
PLD 1997 SC 582	2015 PTD 884Lahore
2016 PTD 1393 SC	2007(292) ITR 144
2018 SCMR 1134 SC	2009(319) ITR 40

51. Where Government owns, controls and manages a corporation which is engaged in a commercial activity competing with other public/ private companies engaged in similar business, such corporation cannot claim any privilege or immunity to the disadvantage of its competitors.

Supreme Court
2005 PTD 2131 SC 1993 SCMR 468

52. Principle of burden of proof for criminal administration of justice under taxing statutes.

Supreme Court	High Courts
2009 SCMR 790 1992 SCMR 2192	PTCL 1996 CL 1 Karachi PTCL 2016 Karachi 837

53. Goods seized neither mentioned in S. 2(s) nor in any notification issued thereunder-Such goods cannot be treated as smuggled goods.

Supreme Court	High Courts
2005 PTD 1813 (SC)	2013 PTD 2217 (Quetta) 2007 PTD 789 Peshawar PLD 1999 Lahore 18 1988 PCr.LJ 435 Lahore

54. Release of a confiscated vehicle carrying smuggled goods can not be sanctioned in lieu of payment of a redemption fine.

Supreme Court	High Courts
2020 SCMR 1410 2020 SCMR 246	2022 PTD 1193 Sindh 2022 PTD 59 Sindh 2021 PTD 1035 Quetta 2021 PTD 1026 Sindh