

**FEDERAL CONSTITUTIONAL COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**PRESENT:**  
**Justice AAMER FAROOQ**  
**Justice SYED ARSHAD HUSSAIN SHAH**

**C.P.L.A.4085/2025**  
(On appeal from order of Islamabad High Court dated 10.07.2025,  
passed in Writ Petition No.2749/2025)

Gujranwala Electric Power Company ...Petitioner(s)  
(GEPCO) through its Chief Executive,  
Gujranwala

***Versus***

Master Tiles & Ceramics Industries ...Respondent(s)  
Ltd. and others

For the Petitioner(s) : Mr. Zafrullah Khan, ASC  
Syed Rifaqat Hussain Shah, AOR a/w  
Mr. Muhammad Amin Shahzad, D.M  
(Legal), GEPCO

For the Respondent(s) : Mr. Khalil-ur-Rehman, ASC  
Mr. Amin Muhammad Shahzad, AOR

Date of Hearing : 14.05.2026

**ORDER OF THE COURT**

**JUSTICE AAMER FAROOQ:**

1. Learned counsel for the petitioner *inter alia* contended that the Attorney General Office was not competent to give consent on behalf of petitioner in the proceedings before the Islamabad High Court, as it is an independent entity and is to be represented in the court of law by the counsel of its own choice. On the other hand, learned counsel for respondent No.1 submitted that it is not the fault of respondents that the consent was given by the Attorney General Office, however, in the facts and circumstances, submitted that if this Court is inclined to remit the matter back to the High Court, an appropriate direction for expeditious disposal of the case be made.

2. Heard.

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3. We agree with learned counsel for the petitioner that Assistant Attorney General, in the facts and circumstances, was not competent to give consent on behalf of the petitioner regarding disposal of the writ petition pending before the Islamabad High Court.

4. Insofar as the request by learned counsel for respondent No.1 regarding issuance of direction to the High Court for expeditious decision in the matter is concerned; we observe that requests of this nature are made with considerable frequency and such orders are passed by the Superior Courts issuing directions for early decisions. The scheme of judicature as provided in the Constitution of the Islamic Republic of Pakistan, 1973, at present, is that there are five independent High Courts in the country created under its Part VII, Chapter 3. The High Court, so created, is an independent Constitutional Court and is not subordinate to either the Supreme Court or the Federal Constitutional Court, however, in the scheme of arrangement, district judiciary and such other courts are subordinate to the respective High Court as per Article 203 of the Constitution, 1973. All decisions of the High Court are challengeable before the Supreme Court and/or Federal Constitutional Court which does not make the referred court subordinate in any manner. The orders, issuing directions to the High Courts, should be made sparingly and that to couched in appropriate words, as they have their independent roster and case management schemes along with policy for fixation of the cases. Any order or direction, which superimposes such policy or case fixation, amounts to intrusion in the judicial and administrative independence of such courts. Undoubtedly, at times, exigency or emergency of the *lis* demands that on remission, the matter be heard by the respective High Court at an early date, but as noted above, such observations must be

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couched in appropriate words and should not be in a way to affect independence of such High Court. Even-otherwise, generally directions issued are administrative in nature rather than judicial, where even a High Court issues direction(s) to the trial courts/subordinate courts, the same are administrative in nature and do not warrant any consequence but are recommendary asking the courts to take up the matter in priority keeping in view the urgent nature of case/*lis*. See, *e.g.*, *Talat Ishaq v. National Accountability Bureau*, PLD 2019 SC 112 (Per ASIF SAEED KHAN KHOSA, J.) at p.23.

5. In view of the foregoing, instant petition is converted into appeal and is allowed; consequently, the impugned order is set aside. Writ petition filed by respondent No.1 shall be deemed to be pending before the Islamabad High Court. It is expected that the case shall be taken up at the earliest keeping in view the urgency involved in the matter.

**JUDGE****JUDGE****Islamabad**  
**14.05.2026***Zawar/***APPROVED FOR REPORTING**