

'THE BALOCHISTAN HIGH COURT
(ESTABLISHMENT OF BENCHES)
RULES, 1999

NOTIFICATION

[18" November, 1999]

No. SOR-V S&GAD. In exercise of the powers conferred by clause (6) of Article 198 of the Constitution of the Islamic Republic of Pakistan 19737, the Governor of Balochistan in consultation with the Chief Justice of Balochistan High Court is pleased to make the following rules, namely:—

1. Short title, application and commencement.—(1) These rules may be called the Balochistan High Court (Establishment of Benches) Rules, 1999.

(2) They shall come into force at once.

2. Definitions In these rules unless there is anything repugnant in the subject or context:—

(a) "Bench" means a Bench ?[referred to in clause (3) or established under clause (4)] of Article 198 of the Constitution of Islamic Republic of Pakistan, 19737;

(b) "Circuit Court" means any one or more Judges, nominated by the Chief Justice of the Balochistan High Court, sitting or holding Court at any place in the Province of Balochistan other then Quetta and the seats of its Benches;

(c) "Chief Justice" means Chief Justice of the Balochistan High Court and includes the Judge for the time being acting as Chief Justice of the Balochistan High Court;

(d) "Judge" means a Judge of the Balochistan High Court and includes the Chief Justice, Acting Chief Justice or Additional Judge of the Balochistan High Court;

(e) "Registrar" means the Registrar and includes Additional Registrar, Deputy Registrar or Assistant Registrar of the Bench who shall perform all functions of the Registrar in his absence under these rules;

3. Jurisdiction.—'[(1) | The High Court Bench at Sibi shall exercise the jurisdiction vested

in High Court, in respect of cases relating to the Civil Division Sibi and Nasirabad; and the High

These rules have been issued by the Government of Balochistan Services and General Administration Department vide its no. No. SOR-VS&GAD, dated 18" November, 1999; and published in the Balochistan Gazette (Extraordinary) No. 282, dated 18" November, 1999.

Constitution of the Islamic Republic of Pakistan (1973); enacted on 10" April, 1973 and authenticated by the Assembly on 12" 1973; published on the same day in the official Gazette of Pakistan; and came into force with effect from 14" August, 1973. Substituted by the Government of Balochistan, Services and General Administration Department's Notification No. SOR 1-3 (36)/S&GAD-2010/2066-2150, dated 29" October, 2010, for the words "established under clause (2)"; published in the Balochi Gazette No. 103-A, dated 29" October, 2010.

Substituted by the Government of Balochistan, Services and General Administration Department's Notification No. SOR 1-3 (36)/S&GAD-2010/2066-2150, dated 29 October, 2010, for sub-rule (1); published in the Balochistan Gazette No. 103-A, dated October, 2010.

Court Bench at Turbat shall exercise the jurisdiction vested in the High Court of Balochistan, in respect of cases relating to Civil Division Mekran. |

(2) All matters arising within the area assigned to a Bench shall be filed before and disposed off by that bench.

(3) The area assigned to each Bench shall be its Civil Division;

Provided that if in the interest of justice or official working of the Bench it is considered necessary, the Chief Justice may with the prior approval of the Governor make adjustment in the above areas.

(4) The Chief Justice may determine cases or class of cases which may be disposed off at the principal seat or a Bench as may be deemed expedient.

4. Transfer of cases.— (1) All such cases as are transferred to in rule 3 pending in High Court immediately before the commencement of these Rules, shall gradually be transferred to the respective Bench for disposal.

(2) The Chief Justice may transfer any proceedings pending at the principal seat of the Balochistan High Court or a Bench to another Bench or the principal seat of Balochistan High Court.

5. Establishment of Registry.— There shall be established a "Registry" of the High Court at each bench consisting of an Additional Registrar or Assistant Registrar as the case may be and such other officer and servants of the High Court as the Chief Justice may appoint to receive proceedings to be heard before that Bench.

6. Functioning of Benches.— If at any time it is found expedient for the efficient functioning of principal seat, the Benches of the Circuit Courts, the Chief Justice may require any Judge to sit for such period as may be determined by him at any Bench, Circuit court or at the principal seat and may from time to time, pass such orders as may be considered necessary for efficient working of the bench.

7. Allowances and Privileges.— A Judge nominated by the Chief Justice under clause (5) of Article 198 of the Constitution of Islamic Republic of Pakistan to sit at a Bench shall be entitled to the same allowances and privileges as may be admissible to a Judge on transfer under clause (2) of Article 200 of the Constitution of Islamic Republic of Pakistan.

8. Delegation of Powers.— The most Senior Judge for time being at a Bench shall exercise such powers of the Chief Justice as may be delegated to him by the Chief Justice.

BY ORDER OF
GOVERNOR BALOCHISTAN

CHIEF SECRETARY
GOVERNMENT OF BALOCHISTAN