

[AS PASSED BY THE NATIONAL ASSEMBLY]

A
BILL

further to amend the Islamabad High Court Act, 2010

WHEREAS it is expedient further to amend the Islamabad High Court Act, 2010 (XVII of 2010), for the purpose hereinafter appearing:

It is hereby enacted as follows:-

1. Short title and commencement.— (1) This Act may be called the Islamabad High Court (Amendment) Act, 2016.

(2) It shall come into force at once.

2. Amendment of section 4, Act XVII of 2010.— In the Islamabad High Court Act, 2010 (Act XVII of 2010), in section 4, for the colon at the end, a full stop shall be substituted and thereafter the proviso shall be omitted.

STATEMENT OF OBJECTS AND REASONS

Under the proviso to section 4 of the Islamabad High Court Act, 2010 (XVII of 2010) the Islamabad High Court had the original jurisdiction in suits and proceedings having pecuniary value of ten million rupees or more. Later, this pecuniary jurisdiction was enhanced from ten million to one hundred million rupees. However, work-load of the Islamabad High Court has increased in view of the high prices of properties in the Islamabad Capital Territory. Pecuniary jurisdiction of the Islamabad High Court is also not in consonance with the pecuniary jurisdiction of the High Court of various other Provinces. Moreover as per Article 193 (3) of the Constitution 'District Judge' means Judge of Principal Civil Court of original jurisdiction which envisages that District Judge, and not the High Court, may have the original jurisdiction. It has, therefore, been proposed that the proviso to the section 4 of the said Act may be deleted. The proposed amendment will bring the jurisdiction of the Islamabad High Court and Civil Courts in Islamabad Capital Territory in consonance with High Courts and Civil Courts of the other Provinces and also reduce work-load of Islamabad High Court.

2. The Bill is designed to achieve the aforesaid object.

Minister-in-Charge