



Munir Advocate <muniradvocate57@gmail.com>

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**Reply to Call Up notice u/s 19 of the National Accountability Ordinance, 1999 (“NAO”), dated 07.07.2022, bearing No. 1(9)HQ/2269/NAB-L (Inquiry against Farhat Shahzadialias Farah Khan & Others)**

1 message

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Munir Advocate <muniradvocate57@gmail.com>

Wed, Jul 13, 2022  
at 9:04 PM

To: chairman@nab.gov.pk, registrarlhc@lhc.gov.pk, dg.house@nab.gov.pk, punjab@nab.gov.pk, infonab@nab.gov.pk

Cc: Mohammad Azhar Siddique <judicialap@gmail.com>, Azhar Siddique <jappakistan@gmail.com>, judicialap@me.com, Muhammad Azhar Siddique <mohammadandahmad@gmail.com>

**Ref: M&A/MB/FS/22/5877**

13<sup>th</sup> July, 2022

**The Director General**

National Accountability Bureau (NAB)

Thokar Niaz Baig, Lahore

**Mr. Aftab Ahmad**

Additional Director (Staff)

National Accountability Bureau

Thokar Niaz Baig, Lahore

**The Deputy Director**

National Accountability Bureau

Thokar Niaz Baig, Lahore

**Subject: Reply to Call Up notice u/s 19 of the National Accountability Ordinance, 1999 (“NAO”), dated 07.07.2022, bearing No. 1(9)HQ/2269/NAB-L (Inquiry against Farhat Shahzadialias Farah Khan & Others)**

**Re:** 1. *Mr. Munir resident of House No. 1374,*

*Mohalla Bilal Town, Rainwand Road, Lahore;*

2. **Mr. Asif resident** of House No. 102/8-2-E, Mohalla Usmania, Model Colony, Walton, Lahore;

3. **Mr. Waqar resident** of House No. 127/4, Street No. 5, Mohalla Peer Colony Walton, Lahore;

4. **Muzahir Baig resident** of House No. 494, Block E-2, Sector II, Wapda Town, Lahore;

5. **Mr. Nasir Nawaz resident** of House No. 32, Street No. 40, Mohallah Ram Garh, Mujahidabad, Mughalpura, Lahore;

6. **Mr. Muhammad Anwar ulHaq resident** of House No. 9, J-3, Wapda Town, Lahore; and

7. **Mr. Ahmed Mansoor Anwar resident** of House No. 61, Tajpura Scheme, Mohalla Mian Amir u Din Park, Lahore.

*(“our Clients”).*

### **Most Immediate**

Dear Sir,

This is with respect to the captioned call-up notices for 14.07.2022 and 15.07.2022, respectively, which have been received by our Clients (Client No. 3, on 13.07.2022 [2<sup>nd</sup> Notice]; Client No. 4's son, on 12.07.2022, late in the evening [2<sup>nd</sup> Notice]; Client No. 5 on 13.07.2022, Client No. 6, on 13.07.2022; and Client No. 7, on 13.07.2022) through the media. Firstly, the said notice was issued, on 07.07.2022, but, was, however, oddly, revealed onto our Clients through the media, on 13.07.2022. This in turn means that, technically, a notice of only 1 and 2 days, respectively, has been given by your office. Copies of the aforementioned notices are being pasted, for your kind perusal, record and reference, as under:

2. That, at the very outset, it is imperative to highlight herein that previously 4 distinctive call-up notices, dated 26.05.2022, each bearing

the Reference No.1(9)/HQ/2269/IW-I/NAB-L, issued with respect to the summoning of persons acquainted with facts of the case under Section 19 of the NAO *re* inquiry against Farhat Shahzadi (*alias* Farah Khan) and others. The said call-up notices were replied to by our office, on behalf of Clients No.1-4, *vide* reply bearing No. M&A/CU-N/FS/22/5776, dated 30.05.2022, however, strangely, the same has not been responded to by your office. Copy of the aforementioned reply is being enclosed herewith as **Enclosure-I**. First page of the same is being pasted, for your kind recollection, perusal, record and reference, as under:

3. That, first of all, our Clients (Client No(s). 3-7) cannot appear before your office on such a short notice; secondly, the said notices have no mention of the subject matter; and, thirdly, the call-up notices do not mention the reasons behind the said inquiry, therefore, you are hereby requested to provide us with the complete record as well as findings of the inquiry so that our Clients may be able to assist you in an efficient manner.

4. That it is pertinent to mention herein that some of our Clients have been called up by your office, for 14.07.2022, whereas, some on 15.07.2022 whereas, the call-up notices were received in the evening of 12.07.2022 to one of our Clients and on 13.07.2022 to the rest of them (1 and 2 day notice respectively). This shows clear ill-intention, *malafide* and a concocted agenda leading towards political victimisation of our Clients.

5. That an important question which springs to mind after perusing through the aforementioned call-up notices is that what is the basis of the aforementioned call-up notices and what “relevant documents” are required by your office? *Prima facie*, the call-up notices are based on *malafide* as well as political victimization and, thus, hold no water in the eye of the law. Once you provide the complete record and findings of the “subject” inquiry, our Clients will visit your office and assist you with the matter and will show full cooperation but only when the purpose of the inquiry is revealed onto them. As of now, the aforementioned call-up notice is in violation of our Clients’ fundamental rights including but not limited to Articles 4, 5, 9, 10, 10A, 14, 15, 16, 17, 24 and 25 of the Constitution of the Islamic Republic of Pakistan, 1973 (“the Constitution”) which includes their rights to information and to fair trial. These are mere fishing and rowing inquiries which are illegal and without jurisdiction i.e. not allowed under the criminal law.

6. That, in any case, if your office or any other Authority has found out any irregularity in application of relevant statutory laws, rules and regulations provided under the relevant laws, so, in order to understand that jurisdiction has rightly been exercised by your office, please, let us know what sorts of criminality (as alleged) has ever been committed. Please, remember, the matter of cognizance is of prime concern and your office is duty bound to act in accordance with law as directed under Article(s) 4, 5 and 10-A of the Constitution.

7. That, your office, without any doubt, seems to be in an unholy haste and in view of the above facts and without taking into consideration that via initiation of proceedings, in sheer violation of due process and right of fair trial, you have issued call up notices without even deciding whether your office has the jurisdiction in the matter or not. Your office had not issued a detailed questionnaire, which our Clients are bound to reply, which, of course, should have been sought after first establishing the jurisdiction.

8. That, on the above stated facts and circumstances, the issuance of show cause/ call-up notices and hasty initiation of inquiry is totally uncalled for, clear cut discrimination and violation of Article 25 of the Constitution, biased, based on *mala fide*, targeted, negation of due process and right of fair trial as directed in Article 10-A of the Constitution as well as the deviation from the principle set out in Articles 4 and 5 *ibid*, so, in the interest of justice equity and fairplay, the inquiry, if any, is requested to be closed as the jurisdiction is yet to be decided.

9. That, even otherwise, it is pertinent to mention herein that the Honourable Superior Courts of Pakistan have extensively deliberated upon and passed unequivocal instructions with regards to the jurisdiction of departments and court and instances where jurisdiction is being transgressed and with regards to how jurisdiction has to be decided in accordance with law. A few of the judgments on the topic of jurisdiction are being reproduced, for ease of reference and better understanding of the matter at hand, as follows:

***“2008 S C M R 240***

***[Supreme Court of Pakistan]***

***Present: Rana Bhagwandas and Muhammad Nawaz Abbasi, JJ***

***IZHAR ALAM FAROOQI, ADVOCATE---Petitioner***

***Versus***

***Sheikh ABDUL SATTAR LASI and others ---Respondents***

*6. It is true that a Court which has the jurisdiction to adjudicate the dispute and pass an order*

*has also implicit power to have the order implemented and mere an erroneous order passed by the Court of competent jurisdiction does not render the order without jurisdiction.*

*This is an established law that jurisdiction cannot be assumed with the consent of the parties and notwithstanding the raising of such an objection by the parties, the forum taking cognizance of the matter must at the first instance decide the question of its jurisdiction. There can be no exception to the principle that an order passed or an act done by a Court or a tribunal not competent to entertain the proceedings is without jurisdiction and that it is mandatory for the Court or tribunal as the case may be to attend the question of jurisdiction at the commencement of the proceedings because the jurisdictional defect is not removed by mere conclusion of trial or inquiry and objection to the jurisdiction can be raised at any subsequent stage. This Court in *Rashid Ahmed v. State* PLD 1972 SC 271 held as under:--*

*"If a mandatory condition for the exercise of a jurisdiction before a Court, tribunal or authority is not fulfilled, then the entire proceedings which follow become illegal and suffer from want of jurisdiction. Any orders passed in continuation of these proceedings in appeal or revision equally suffer from illegality and are without jurisdiction."*

**2012 S C M R 730**

**[Supreme Court of Pakistan]**

**Present: Mian Shakirullah Jan and Anwar Zaheer Jamali, JJ**

**ADMINISTRATOR, THAL DEVELOPMENT through EACO Bhakkar  
and others---Appellants**

**Versus**

**ALI MUHAMMAD---Respondent**

8. *The two Courts below were, therefore, not justified in bypassing the issue of maintainability of the suit merely on the concession of appellants' counsel, who refrained to argue this legal point. Needless to mention here that it is the bounden duty of every Court/Tribunal to examine the issue of bar of its jurisdiction at the earliest opportunity and decide it in accordance with law, instead of escaping to decide such important aspect of the case on the mere concession of one or the other party. Moreso, when consent of the parties can neither confer nor can take away the jurisdiction of a Court/Tribunal, unless so conferred or barred by law.*

**2001 S C M R 1822**

**[Supreme Court of Pakistan]**

**Present: Iftikhar Muhammad Chaudhry and Hamid Ali Mirza, JJ**

**ALI MUHAMMAD through Legal Heirs and others---Appellants**

**versus**

**CHIEF SETTLEMENT COMMISSIONER and others---Respondents**

33. *After having gone through the relevant facts of the case as well we are of the opinion that the case of respondents cannot be considered to be, a pending case for the reasons discussed hereinabove in the case of *Sardar Shahid and others*. Moreover, the order dated 12-9-1992 passed by Chief Settlement Commissioner in favour of respondents is patently illegal and coram non judge' because learned High Court while allowing Writ Petition No.391-R of 1986 vide order dated 17-6-1990 has set aside the order of Assistant Commissioner dated 4-6-1986. As far as directions/order of M.B.R. dated 1-6-1986 is concerned it remained intact because it was not challenged, therefore, in view of such legal position the Deputy Commissioner rightly passed order dated 10-10-1991 to implement these directions but the Chief Settlement Commissioner/M.B.R. who also enjoys the status of Notified Officer under section 2(2) of Act, 1975 had no authority to set aside the directives of his predecessor dated 1-6-1986 for want of power of review in view of the judgment of this Court reported in PLD 1970. SC 1 and PLD*

1981 SC 94. In addition to it neither the Chief Settlement Commissioner nor learned High Court while granting relief to the respondents took into consideration as to whether the property being transferred to them was available in the compensation pool or it has gone out of it with effect from 3rd January, 1958 when Evacuee Agricultural Land including the one which was transferred to the respondent has been exchanged with the State Land. We failed to understand as to how Chief Settlement Commissioner/M.B.R. assumed jurisdiction by over stepping order dated 1-6-1986 passed by predecessor-in-office of the incumbent Chief Settlement Commissioner/M.B.R. in fact whenever such orders are passed by an officer without caring whether jurisdiction vest in him or not it prima facie reflects on his conduct as well as competency. It is also to be noted that whenever authority is exercised in such a manner then no other inference can be drawn except that the functionary had transgressed his jurisdiction for the consideration other than judicial one and the Courts ceased with such order may recommend any action against the said officer because now by the time it is well-settled that neither the executive authorities nor judicial forums will pass a wrong order because the jurisdiction in both the capacities is conferred upon such authorities to discharge their functions in accordance with law which has bestowed authority upon them to function in that capacity and if there is abuse of power by such officer then no hesitation should be felt in passing stringent stricture against officer keeping in view norms of justice. Thus, we are of the opinion that Chief Settlement Commissioner/M.B.R. passed order dated 12-9-1992 in favour of respondents' Riazul Qamar and others which was impliedly superseded vide order dated 20-12-1992 when the same property was granted to respondent Mst. Amina Begum and others (legal heirs of Ali Muhammad deceased) without lawful authority and jurisdiction. Similarly last mentioned order dated 20-12-1992 was also an illegal order as in detail it has been discussed while considering the appeals of legal heirs of late Ali Muhammad being Appeals Nos. 170 to 176 of 1999. Unfortunately learned High Court also without attending this aspect of the case granted relief to respondents Riazul Qamar and others in Writ Petition No.55-R of 1993. Thus, the impugned order of the High Court is also not sustainable.

**P L D 2016 Supreme Court 174**

**Present Mian Saqib Nisar, Gulzar Ahmed and Umar Ata Bandial, JJ**

**MUHAMMAD RAMZAN (DECEASED) through L.Rs. and others---  
Appellants**

**Versus**

**NASREEN FIRDOUS and others---Respondents**

*Civil Appeal No. 1560 of 2008, decided on 16th December, 2015.*

**MIAN SAQIB NISAR, J.-** The primary question in this Appeal, with leave of the Court dated 30.9.2008, is whether the Civil Courts in Pakistan have jurisdiction to entertain and adjudicate upon a suit for administration with regards to the property situate abroad.

...In the context of the above, two basic questions requiring resolution are as follows:-

- (a) What is the substantive law to be applied?
- (b) Which court has jurisdiction?

.... These are completely independent questions which require to be considered separately. At present, there appears to be a lot of confusion and these two independent questions appear to have been jumbled together and thus there is lack of conceptual clarity.

...Be that as it may, from the clear and unambiguous language of the explanation of section 16, there remains absolutely no doubt that the property(ies) which falls within the purview of the section are those which are situated in Pakistan and thus the Pakistani Courts shall have the sole and exclusive territorial jurisdiction in respect thereto. In other words, as per the mandate of

*law, the territorial jurisdiction of Pakistani Courts has been limited, restricted and circumscribed only to such property(ies) which are situated within the territorial boundaries of Pakistan. It may be pertinent to mention here that where a word/expression has been defined in the statute, it is settled law of interpretation that such word/expression has to be given the same meaning until and unless the assignment of such meaning would be patently in conflict with the express text of the said provision or would destroy the spirit and object of the provisions of law in which such expression/word appears or shall lead to an absolute absurdity. This principle is no less true for the explanation added to a particular section which (explanation) in law is a guideline for the purposes of explaining the true intent, object, purpose, letter and spirit of such a provision by the legislature itself, with the obvious consequence that the legislature means and intends to leave little room and opportunity for any misinterpretation and misapplication of the said section and would desire that the scope of the section should be construed in the manner as has been explained by the statute.<sup>1</sup> Thus, it is clear that the Pakistani Courts as per the explanation shall only have the jurisdiction with respect to the property(ies) which are subject matter of the suit and falls within the territorial domain of Pakistan.*

*Such interpretation of the relevant provisions of the C.P.C. are duplicated in the Indian Jurisprudence as will be illustrated by briefly making reference to a few cases on the question of jurisdiction of courts to try suits pertaining to property situate outside the respective State.*

*In the case of Premchand v. Hiralal (AIR 1928 Nagpur 295) while interpreting section 16, C.P.C., the learned judge agreed with the lower court which held that it had no jurisdiction over the movable or immovable property situated at Shahdole (outside British India). The learned Judge stated that:-*

*"It seems to me very clear that the lower Court is right. The question is concluded by S.16, Civil P.C., as regards immovable property. The explanation to that section states that the word 'property' used therein means property situated in British India... Our Courts are governed by the Civil Procedure Code, and they cannot deal with immovable property situated where that Code does not run."*

6. *Having considered the provisions of section 16, we feel it is expedient to make reference to sections 17 to 19 of the C.P.C. which also deal with the territorial jurisdiction of Pakistani Courts. It may be stated that section 16, as per the interpretation given to it above, is the main and pivotal section which prescribes for the territorial jurisdiction of the courts in Pakistan (i.e. the courts of plenary civil jurisdiction) and this section, as mentioned, has limited its jurisdiction only to the property(ies) which are situated in Pakistan with the obvious legal consequence that the property(ies) outside Pakistan are expressly excluded from the purview of jurisdiction of Pakistani Courts as a whole. Sections 17 to 19 when read and construed in the context of the subject matter jurisdiction are basically supplemental provisions to section 16 and in fact and law, cater for a situation once the threshold of section 16 vis-à-vis the jurisdiction of Pakistani Courts is crossed; it is then that if the Pakistani Courts have jurisdiction over the subject matter, that it should be settled and determined as to which court within Pakistan shall have the jurisdiction in the given circumstances of the case to try a suit of a particular nature. But for the application of these sections (17 to 19 C.P.C.) it is essential that firstly the jurisdiction should vest in the Pakistani Courts in terms of section 16. In other words, Section 16 is not only a threshold section for the conferment of jurisdiction to the Pakistani Courts but it is the portal through which the plaintiff has to enter for the purposes of entering into the city of jurisdiction of different courts in Pakistan. If, as per the mandate of law, such door is closed upon a plaintiff because the property, subject matter of a suit, is not within the limits of Pakistan, then such litigant is barred and precluded from invoking the jurisdiction of any other court of the country in terms of sections 17 to 19. In the context of the above, if a judgment is required, reference can be made to a case reported as Yusuf Abbas and others v. Mst. Ismat Mustafa and others (PLD 1968 Karachi 480) (see paragraph 19 thereof).*

*With respect to section 18, C.P.C., it may be added that even if the property was situate in Pakistan (which is not the case in the present matter), section 18, C.P.C. will ipso facto be inapplicable for the very reason that there is no uncertainty as to the respective jurisdiction of the courts in England in the instant case since the property in question lies within the territorial*

*jurisdiction of England.*

*In a similar vein, section 19 C.P.C is applicable only to suits for compensation for wrong to the person or movable property. It further applies to torts committed within Pakistan. The instant case has no nexus with the law of tort.*

*MWA/M-58/SC  
dismissed.*

*Appeal*

10. That it is pertinent to mention herein that if your office fails to adjudicate upon the matter of whether your office is fully competent and has jurisdiction over the case at hand or not and fails to share the required details of the alleged inquiry, we will be constrained to approach the Honourable High Court for appropriate directions since proceeding with the matter at hand without assuming requisite jurisdiction is nothing but a sheer violation of Articles 4, 5 and 10A of the Constitution as well as the principles of natural justice. With regards to the legal queries as well as adjudging the jurisdiction, etc. our office is readily available to assist yours and hereby requests that you may involve/invite our office in the proceedings with regards to the adjudgment of jurisdiction.

11. That our Clients are employees at Ghousia Builders Private Limited. The aforementioned entity is a private company, therefore, the same has no relation with any public office holder or public entity, whatsoever. It is imperative to mention herein that in order to make out the case, we hereby state that the jurisdiction of NAB, as stipulated under NAO, is strictly limited to the extent of private persons including our Clients as they are private persons, hence, NAB lacks jurisdiction to issue any Call Up Notice to the same in any manner, whatsoever.

12. That, even otherwise, in terms of Section 18(c) and (g) of NAO, the Chairman, NAB or an officer of NAB duly authorized by him, if holds an opinion that it is necessary and appropriate to initiate proceedings against any person, the Chairman or designated Officer, after applying his 'mind' as to the facts presented before him, can order an inquiry or investigation. The exercise of jurisdiction in terms of Section 18(c) of NAO should be reasonable and remain in line with the unequivocal terms of Section 24-A of the General Clauses Act, 1897.

13. That, furthermore, it is pertinent to mention herein that neither our Clients are holders of any public office nor any loss to the national exchequer has been alleged against the same. In view of the above, it is evident that the titled matter does not fall within the ambit and purview of Section 9 of NAO and as such this esteemed office does not have the jurisdiction to proceed with the titled matter.



14. That it is also requested that after having completed the procedure of Complaint Verification, how the office of Chairman, NAB or any designated authority has made up his 'mind' and what sorts of material is placed before his office for initiation of an "Inquiry" under NAO. *Prima facie*, without any iota of doubt, NAB lacks jurisdiction to take cognizance of the captioned matter. For a better understanding and ease of reference, reliance is placed on the judgements by the superior courts, reported as: **PLD 2013 Sindh 537; PLD 2012 Supreme Court 664; and 2015 SCMR 1575.**

15. That the Chairman NAB or any other designated Officer of NAB, without any application of mind or looking into real and known true facts or purposely avoiding the same, *prima facie*, has authorized the 'inquiry' which is based on assumptions, concocted conclusions without any basis or solid foundations and is also a deliberate attempt to undermine and circumvent the authority and jurisdiction provided to the relevant institutions. The same is neither permissible under NAO nor the Criminal Procedure Code, 1898 and it also violates the fundamental principles of law that the executive action cannot undo the legal authority provided under the legislature instruments.

16. That NAO does not rule out '*mens rea*' and 'offence' under NAO is of strict liability and before recommending any action, it has to be established, without any reasonable doubt, that, there exist all essential ingredients constituting an 'offence'. Noticeably, in this case, NAB seems to be totally oblivious and unaware of the laws of the land.

17. That the August Supreme Court of Pakistan and the Honourable Lahore High Court, Lahore have held that any offence under Section 9(a) and specially 9(a)(vi) of NAO is based on two elements (1) **misuse of authority** and (2) **gaining of any benefit in his favour by the person exercising authority for himself and for any other person.** Reference is invited to the judgements, reported as, **PLD 2002 Lahore Page 458** and **2008 SCMR 118**. The judgments state that essential element of the offence under Section 9(a)(vi) of NAO is '*mens rea*' and '*actus rea*', and absence of even one would not constitute an offence, hence, the captioned inquiry needs to be withdrawn, immediately, as NAB is acting upon hearsay and without even establishing its jurisdiction in the matter at hand.

18. That, in terms of Section 18 of NAO, the Chairman, NAB, as a designated Officer, is obliged to consider all information and facts which are brought to his notice and then to 'apply his mind' to determine whether a case is made out in terms of Section 9 of NAO. This is a pure question of exercising jurisdiction in a reasonable manner

in terms of Section 24-A of the General Clauses Act, 1897 read with plethora of judgments regarding exercise of discretion by the public authority.

19. That, when the above exercise is complete, of course, in pursuance and complete compliance of due process of law, the other provision of NAO has to take other recourses. Further, once the material collected during the course of the 'inquiry' and 'investigation' is placed before the Chairman, NAB, then, it is the duty cast upon the Chairman, NAB, in terms of Section 18 (g) of NAO, that, **he has to take a 'reasoned decision' that it would be 'proper' and 'just' to proceed further and he must be satisfied that there is sufficient material available on record which would justify filing of the Reference before the Accountability Court.**

20. The words "**just**" and "**justified**" indicate that the law requires the Chairman, NAB not only to act in a '**reasonable manner**' in terms of Section 24-A of the General Clauses Act, 1897 but also to act, **lawfully**, in accordance with law as directed in Articles 4 and 5 of the Constitution and not to undermine the established principle laid down by the Superior Courts and not to violate the principle of natural justice and, especially, the provisions of Article 10-A of the Constitution *re* right to fair trial and due process of law.

21. That NAB is an independent institution and it must act independently, fairly and, of course, in accordance with law as directed in Articles 4 and 5 of the Constitution, and therefore, the Notice under Section 19 of NAO may kindly be quashed with immediate effect.

22. That in view of the recent amendment in NAO through the recently promulgated National Accountability (Second Amendment) Act, 2022 ("NAAA"), whereby, the Sections 4 and 9 of NAO have been amended, present inquiry is not maintainable and needs to be withdrawn, immediately; and in any case no charge can be framed in view of the amendments made in NAO by virtue of NAAA. It is evident from the perusal of Section 4 (2) (c) of NAO (as amended by NAAA) – **persons, entities or transactions otherwise immune from NAAA but being accused of offences under Section 9 clauses (ix), (x) and (xi) *ibid* were to remain within the scope and mischief of NAO.**

23. That a mere perusal of recital clause and Section 1(2) of NAAA conveys that the government clearly recognizes the circumstantial need to enact this law with lucid intentions that the amending provisions thereof to take effect, immediately, for all intents and purposes. That in its application, Section 2 of NAAA, has, seriously and sizably, curtailed

the scope of the application of NAO through substitution of Section 4 *ibid.*

24. That jurisdictional authority and powers of NAB including the authorization of inquiry, as stipulated under Section 18 of NAO, have been violated in the instant case. Furthermore, keeping in view the aforementioned amendments, the inquiry at hand is non-maintainable, for all intents and purposes. This inquiry cannot be acted upon in view of the latest amendment by operation of law. The aforementioned law is holding field and since not a single one of our Clients is a public office holder, thus, the captioned inquiry holds no water in the eye of law.

26. That it is pertinent to mention herein that if your office/NAB fails to adjudicate upon the matter of whether your office/NAB has jurisdiction over the case at hand or not, we will be constrained to approach the Honourable High Court for directions since proceeding with the matter at hand without the jurisdiction is in violation of Articles 4, 5 and 10A of the Constitution as well as the principles of natural justice. With regards to the legal queries as well as adjudging the jurisdiction, etc. our office is readily available to assist yours and requests that you may involve/invite our office in the proceedings with regards to the adjudgment of jurisdiction.

***In view of the aforementioned facts, peculiar circumstances and judgments passed by the Superior Courts of Pakistan, your offices are, therefore, hereby requested to, please, quash/cancel the aforementioned Call-up Notices, dated 07.07.2022 (brought to our Clients' knowledge through the media on 13.07.2022), on the basis that the National Accountability Bureau has not established its jurisdiction in the matter at hand and before proceeding any further, it is pertinent that it be established that your office has jurisdiction to initiate an inquiry against the said (Private persons not Public Servants, etc.) persons, only after that, call-up notices may be issued (which, only, if found to be in accordance with law, will be complied with and your office will be assisted in any legal/lawful inquiries), of course, in the interest of justice, equity and fair play.***

***Should you have any questions and queries, regarding above, please do not hesitate to contact Muhammad Azhar Siddique, Advocate Supreme Court of Pakistan at his Mobile No. 0302-8479997 & 0322-8477707 and/or via Email at: mohammadandahmad@gmail.com&judicialap@gmail.com.***

*We Remain,*

**MUHAMMAD AZHAR SIDDIQUE**

*Advocate, Supreme Court of Pakistan*

**AHMAD IMRAN GHAZI, MUNIR AHMAD, MOHAMMAD IRFAN, MIAN SHABIR ASMAIL, ASHHAD ALI AZHAR (LLM LONDON), MIAN IMRAN ALI, SALMA RIAZ & AMNA FARRUKH - Advocate(s) High Courts of Pakistan**  
**MUHAMMAD KASHIF ALI & NAILA IQBAL- Advocate(s)**

**CC:**

1. *The Chairman, National Accountability Bureau, Islamabad.*
2. *The Prosecutor General, National Accountability Bureau, Islamabad.*
3. *The Deputy Chairman, National Accountability Bureau, Islamabad.*
4. *The Administrative Judge, Accountability Court, Lahore.*
5. *The Registrar, Lahore High Court of Lahore, The Mall, Lahore.*

## **Office of The Mohammad & Ahmad**

**Mohammad Azhar Siddique**

**Advocate Supreme Court of Pakistan**

**Ground floor, Almas Tower Begum Salma Tassaduq Hussain Road,  
Near E-Plomer Building, 26-The Mall,  
Lahore**

 Letter Farah Khan call up Notice 5877 dated 13.07.2022.pdf

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