

IN THE PESHAWAR HIGH COURT PESHAWAR

Writ Petition No. 4009-P 2016

(Pro Bono Publico)



Salim Shah Hoti, Advocate Peshawar High Court Peshawar, office No 25, 5th floor,
Bilour Plaza Peshawar Cantt.

.....Petitioner

VS

1. The Speaker, Provincial Assembly, Khyber Pakhtunkhwa, Khyber Road Peshawar Cantt.
2. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar
3. The Secretary Law, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar
4. The Advocate General, Government of Khyber Pakhtunkhwa, Peshawar
5. The Secretary Labour Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar

.....Respondents

Writ Petition under Article 199, the Constitution

of Islamic Republic of Pakistan, 1973

Respectfully Sheweth:-

It is very humbly submitted as under:-

FILED TODAY
22 OCT 2016
Registrar

ATTESTED
EXAMINER
Peshawar High Court
30 MAY 2016

1. That the Petitioner is a practicing lawyer and member of Peshawar High Court Bar Association-Peshawar.
2. That the Province of Khyber Pakhtunkhwa passed 'The Khyber Pakhtunkhwa Payment of Wages Act, 2013', The Khyber Pakhtunkhwa

would be in violation of Article 9 and 25 of the Constitution.

24. Keeping in view the mandate of Article 3, 4, 8 and 25 of the Constitution, the Impugned Khyber Pakhtunkhwa (Amendment of Laws) Act, 2015 is violative of the Constitution, 1973 and therefore is struck down accordingly, being ultra vires as not only the parent laws in this regard but also the Constitution, 1973.

Announced.
10.05.2018.

DB
Hon'ble Mr. Justice Ikramullah Khan
Hon'ble Mr. Justice Ishtiaq Ibrahim

Himayat

CERTIFIED TO BE TRUE COPY
EXAMINER
Peshawar High Court, Peshawar
Authorized Under Article 87 of
The Qanun-e-Shahadat Order 1950
30 MAY 2018

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