

**ADDRESS OF ATTORNEY GENERAL FOR PAKISTAN MR. IRFAN QADIR IN
FULL COURT REFERENCE OF JUSTICE TARIQ PERVEZ ON
14TH OF FEBRUARY 2013**

Today we have assembled here to bid farewell to Mr. Justice Tariq Parvez who is laying down his robes as a Judge of Supreme Court of Pakistan.

Mr. Justice Tariq Parvez had a successful career both as a member of the Bar and the Bench having joined the legal profession more than 40 years ago in 1972.

As a lawyer, Mr. Justice Tariq Parvez remained actively involved in the activities of the Bar. He held many elected offices besides becoming the President of the Peshawar High Court Bar Association. He practiced at the Bar for almost a quarter of a century and was elevated as a Judge of the Peshawar High Court in 1997.

In 2005, he became the Chief Justice of Peshawar High Court. He was elevated to the Supreme Court on 20th of October, 2009. During the period that he remained on the bench the superior judiciary had to face several political upheavals in the country. These events caused our Courts to resort to extra constitutionalism while invariably invoking law of necessity in one form or the other in providing legal cover to such constitutional deviations through judicial pronouncements. After all these decisions, the judiciary of Pakistan was held accountable by the people of Pakistan and the media but in retrospect. Resultantly, judiciary had to face a lot of criticism. This was the state of affairs prior to 31st of July, 2009. Our Constitutional history is replete with instances of removal of Judges by non-political forces. Sadly on 31st of July, 2009, for the first time in our judicial history a few Judges removed a large number of their own brethren. In other words, 14 judges of the Superior Court sacked over 100 Judges without hearing them. Unfortunately, this led to a divide between the Bench and the Bar. At the moment, there is immense need to reunite the legal fraternity i.e. the Bench and the Bar. Realizing this need, the Supreme Court Bar Association of Pakistan as well as Pakistan Bar Council adopted a unanimous resolution on 27th of December 2012 taking exception to the judgment of 31st of July, 2009. It is hoped that this divide in the legal fraternity will be brought to an end. I, therefore, take this opportunity on the retirement of Mr. Justice Tariq Parvez to bring it to the notice of the Honourable Chief Justice of Pakistan and his fellow Judges of the Supreme Court of Pakistan to seriously consider revisiting all such judgments including the judgment of 31st of July, 2009, so as to bring the country's legal order in consonance with the law and the Constitution while upholding the rule of law.

I am saying this at a time when our superior judiciary is exercising complete independence which has no parallel in the past. However, notwithstanding the attainment of this goal the judiciary should also be seen to be impartial. With these words I may acknowledge the valuable services rendered by Justice Tariq Pervez in upholding the independence of our superior judiciary while hoping that under the able guidance of Chief Justice of Pakistan and other Honorable judges of this apex Court the target of a truly independent judiciary will also be achieved.

