

**FULL COURT REFERENCE ON THE EVE OF RETIREMENT OF HON'BLE
CHIEF JUSTICE MR. JUSTICE MUHAMMAD QASIM KHAN
(5th July, 2021)**

ADDRESS BY
**HON'BLE MR. JUSTICE MUHAMMAD AMEER BHATTI
(CHIEF JUSTICE DESIGNATE)**

In the name of Allah, the most beneficent, the most merciful

Hon'ble Chief Justice of Pakistan,

Hon'ble Chief Justice Lahore High Court,

My learned brother and sister Judges of Lahore High Court,

Learned office bearers and members from different Bar Associations,

Learned Judicial Officers, Distinguished guests, ladies and gentlemen

Assalam-o-alaikum

Today we are gathered here to pay tribute and homage to Honorable Chief Justice, Muhammad Qasim Khan on the eve of his superannuation. The journey of a lifetime, full of zeal and zest a story of transformation from sowing seed of hard work to reaping the fruits of accomplishment, not only in the form of unmatched achievement of becoming 150th Chief Justice Lahore High Court but also in making a legacy of worthwhile judicial pronouncements as a perpetual guidance for the Courts and legal fraternity is worth commendation.

Ladies and Gentlemen!

Good-Byes” and bidding farewell always carry a twinge of sadness. Although it is true and correct that men may come and men may go, but the Institution and the Office of the Chief Justice will go on forever but even then I find that some men do come, but they never go. They continue to live forever in the legacy they have left behind, a legacy

that lives forever with the Institution. The Honorable Chief Justice is certainly one among such men.

Justice Muhammad Qasim Khan was born on 06.07.1959 in a noble family at Multan. After matriculation from “Comprehensive School”, Multan, he completed graduation from Baha-ud-Din Zakariya University, Multan. His lordship opted to join legal profession for his career and completed his LLB from University Gillani Law College, Multan. He was enrolled as member of Multan Bar Association and joined the Chamber of renowned lawyers Kanwar Akhtar Ali and Ch. Faqir Muhammad. He was subsequently enrolled as an Advocate High Court. He was a proactive lawyer with positive energy and got meritorious achievements in a short span of time. From 2000 till 2009, He remained appointed as Assistant Advocate General, Multan. He represented the Government in a number of cases wherein he defended legitimate interest of Government, he also rendered significant legal opinion to the state in formulation of its policies and execution of its decisions. He also handled all legal matters with great wisdom and high sense of responsibility.

Ladies and Gentlemen!

A leader is one, who knows the way, goes the way and shows the way and goes the way. After becoming Chief Justice of this illustrious Institution of Lahore High Court, His lordship had to face unprecedented challenges calling for extraordinary leadership skills. The threats posed by the Corona virus pandemic, which had brought the whole world to a standstill, was a serious. He embraced the challenge with gusto and on one hand made successful arrangements for the protection of judges, lawyers and the litigant public from

this fatal disease but most significantly, on the other hand, his lordship also made sure that doors of justice do not remain shut for the public and access to justice should never be denied to them. I am quite sure that Douglas Mac Arthur was referring to a person alike his lordship while saying that *“A true leader has the confidence to stand alone, the courage to make tough decisions and the compassion to listen to the needs of others. He does not set out to be a leader, but becomes one by the equality of his actions and the integrity of his intent”*.

During his career as Judge High Court, he rendered remarkable judgments and also successfully completed various administrative assignments side by side. He settled various complicated legal issues through his judicial orders which educated the whole legal fraternity. He remained member of Provincial Justice Committee, Grievance Redressal Committee, Administrative Committee, Performance Evaluation Committee, Perks and Privileges/Pension Committee, Member of Committee for Grant of Fitness Certificate for Enrolment as Advocate of the Supreme Court, Member of Accounts Committee. He also remained Administrative Judge of Anti-Terrorism Court and Inspection Judge of various districts. He also worked as Special Appellate Court under the Prevention of Smuggling Act, 1977. He also remained Member of Syndicate and Selection Board of “Pir Mehr Ali Shah Arid Agricultural University Rawalpindi and “University of Education Lahore. His lordship performed all his tasks with excellence and his significant contributions have always been duly acclaimed by all the concerned. To achieve these objects, he was always more visible and proactive in the proceedings and always concern for better results.

Exemption of judges from the courts during lockdown and SOP's regarding management of court work were the crucial tasks which were logically, intelligently and judicially dealt with. Establishment of commercial courts, publication of civil and criminal citators, fortnightly case law bulletin, granting utility allowance, implementation of special judicial allowance on running basic pay, promotions of Civil and Additional Judges, elevation of new Judges of High Court are some of extraordinary achievements of Honorable Chief Justice Mr. Justice Muhammad Qasim Khan. Along with these administrative tasks, he has made rich contributions to the growing jurisprudence in the country. In such a short span of time, the Honorable Chief Justice has brought inspiring developments, progression and advancement in the institution with lasting impact which will be remembered forever.

He has worked tirelessly, compassionately and bravely in order to transform the Judiciary from a state of stagnancy to vibrancy and growth. He has not only led by example but has, when necessary, borne the lion's share of the practical burden of much-needed reform and development work. It is no exaggeration to say that we have witnessed a sea-change during his tenure and this has greatly enhanced, not only our own working environment, but also has enhanced the level of public confidence in our justice delivery system. After all, Justice is rooted in public confidence.

Ladies and Gentlemen!

Given my close acquaintance with His lordship, that goes back over decades, I can say with utmost conviction that his lordship is one of those persons who devoted their selves for the amelioration of others. I developed a deep sense of someone who is a very

balanced person, someone who has great convictions about his responsibilities and concerns for the colleagues and especially for poor people striving for justice. I always find him genial, and quick to talk about issues and always ready to offer solutions. I have always find him brave, forthright and valiant in the defence of the judicial institution.

You lordship, we sincerely thank you. Your efforts on our behalf have already borne rich fruits. We shall do our utmost to ensure that the harvest continues.

Ladies and Gentlemen,

To quote, Hendrith Smith (the Pursuit of Happiness: A Book of Poems Honoring Our American Values) *“Justice always finds the void that seeks it. Justice is a traveler through time.”*¹

As Chief Justice designate, I am committed to embrace modernity and advancement, which has revolutionized the whole World, and to adopt and inculcate the same in the form of adopting information technology to streamline and channelize a case from its institution to decision and thereafter implementation, so that it can be traceable at all times. I am determined to introduce reformation and innovations in the judicial system and in the mechanism of court governance both at structural and procedural level. Most certainly, I will never put at halt the on-going useful projects rather will extend my full support and provide every necessary facility not only to materialize these ongoing programs but also to enhance their utility and to make them more efficient.

Distinguished Guests!

¹. Hendrith Smith, *The Pursuit of Happiness; A Book of Poems Honoring Our American Values*,(Mayflower-Plymouth Capital LLC, 2020)

Justice is an equilibrium which simmers down the furtherance of confrontation in the society. It prevents escalation of outrage and fury between the foes and in a way acts as a safety wall which thwarts criminal reaction against a criminal action. The role of courts, as custodian of law and justice becomes further pivotal and the task of a judge becomes more imperative and compelling at the same time. My ultimate aim and goal will be to devise a mechanism for expeditious decision of cases both at the level of this court and in district judiciary throughout the province but at the same time maintaining quality and correctness of the decisions because Justice must be dispensed in due course and within reasonable time. It will further strengthen the trust and belief of people in the Institution of judiciary, which as per the scheme of Constitution of Islamic Republic of Pakistan is third pillar of the state and custodian of fundamental rights of the people and protector of civil liberties.

Dear Judges of District Judiciary!

You are the bedrock of this Institution and your role is more important and significant to alleviate the miseries of poor and downtrodden people and therefore your responsibilities are all important and requires immense amount of dedication. I am well aware of the work and challenges faced by the judges and staff in the District Judiciary and I am all ears to hear out all the challenges faced by you and ready to address the same in comprehensive and timely fashion so that your concentration and consideration towards work must be free from every sort of external hardships and challenges. Posting and transfers is an issue of great significance because I believe that peace of mind and contentment of heart have a direct bearing on the work assignment and also affects on quality performance. Therefore, a transparent transfer policy plays a very important role on the matters of transfers and posting so that legitimate

convenience must be afforded to all the members of District Judiciary. Accordingly, I am planning to formulate a comprehensive posting and transfer module for the District Judiciary to regulate the same on a well chalked out and defined pattern to make it fair and proper. Similarly the establishment of Lahore High Court, which plays a crucial part in smooth running of affairs of this Court and pivotal in formulating and executing all administrative policies concerning High Court and District Judiciary. The importance of its role equally requires that it must always be performing efficiently and it must always be one step ahead from rest of other departments in order to envision future oriented policies and to play its role proactively to modernize the Institution. Right man for right job and true team leaders can certainly enhance the output of this all important limb of this Court. Accordingly, I am planning to set out a module for posting and transfer in the High Court establishment in order to ensure that we always have right person at the right place for the right job and to get rid of the scenario of having person utterly unsuited for the particular job but being there all the time.

Ladies and Gentlemen!

The functionality of the office of Chief Justice can become more useful and its utility gets further maximized through inclusiveness of all my brother and sister judges, which I am eagerly looking forward. I am looking for remodeling the mechanism of Allocation of Business amongst Judges of this Court and the aptitude and interests of Honorable Judges will be the first and foremost consideration behind any such allocation so that their maximum input be secured in the allocated area of work.

I am also going to take up the matters pertaining to long-awaiting and due promotions in the District Judiciary and proforma promotions will also be one of my priorities because I believe that stagnancy creates panic while hope of advancement

provides new energy to work with passion, dedication and concentration. I am also looking forward to undertake revamping of legislation wing, recruitment wing, judicial wing, procurement wing, HR-District Judiciary wing and DDJ wing of this Court to devise useful, productive and future oriented policies in order to enhance the capacity and utility of this institution from District Courts to this Court and in order to clear out the backlog of huge number of pending cases throughout the Province.

Ladies and Gentlemen,

One of the major reasons behind protracted litigation and delay in decision of cases is increasing volume of workload and lesser number of Judges to deal with the same and this gap is further widening day by day. It is quite concerning to note that presently almost 130 posts of Additional District & Session Judges and 650 posts of Civil Judges are still vacant. It is my aim to fill this void and to restore complete functionality of the District Judiciary in the Province so that the volume of piling cases must be reduced to manageable level in each court and timely decisions of cases can be ensured. Similarly, I will also focus to formulate recruitment policy for the posts vacant in High Court and in the District Judiciary so that the same is filled expeditiously and strictly on merit. I am quite determined to find a centralized solution for carrying out comprehensive program of reforms in the District Judiciary to make it more effective and efficient. The cooperation of Bar Councils and Bar Associations will be paramount for bringing all these changes and I am looking forward for constructive and cooperative relationship with office bearers and members of the Bar Associations.

Ladies and Gentlemen,

The role of Research is of paramount importance in order to enhance the quality of decisions and to transform the Institution of Judiciary and making it more futuristic and open to new ideas and legal development of contemporary world. The world is moving fast and so is advancement in the field of law. It is time that Judiciary must be equipped with national as well as international legal tools. I am intending to take out fullest benefits from the Research Center, Lahore High Court, Lahore for not only the Honorable judges of High Court but also for learned judges of district judiciary. It is my vision to introduce and improve reforms in IT structure of this Court as well as of District Judiciary to reap the benefits of advanced technology in streamlining, categorizing and prioritizing as well tracing and tracking a case from institution to decision because the connectivity with technology is essential for Judiciary to match with the pace of the whole World.

Honorable Chief Justice, Muhammad Qasim Khan

It is rightly said that for legends there is no end. For them every end is a new beginning and every goodbye is a new welcome of the new phase of life. On behalf of all my brother and sister colleagues, I extend your lordship, our heartfelt gratitude to for your invaluable contribution to the Judiciary and to this prestigious institution of Lahore High Court. We wholeheartedly wish you a very happy, healthy and fulfilling retirement.

Thank you.