

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



# COMMERCIAL & OVERSEAS PAKISTANIS CELL

## OVERSEAS PAKISTANIS' CELL LAHORE HIGH COURT

# ESTABLISHMENT OF OPC-LHC

- Overseas Pakistanis' Cell of Lahore High Court was established in year 2019 vide Notification No. 212-A/HR-I, dated 28-06-2019.
- It was inaugurated by the Honorable Chief Justice Mr. Justice Sardar Muhammad Shamim Khan, as he then was.

# OBJECTIVE

- To help out the overseas litigants who are unable to pursue their court cases from abroad by:
  1. ensuring the speedy disposal of their cases.
  2. provide them speedy and accurate information regarding their pending cases.
  3. redressing any other their grievances addressed to this Cell with respect to their cases .

# STRUCTURE OF OPC-LHC

- This Cell comprised of:

## **1. The Director OPC - LHC**

Supervise the Cell.

- (Incumbent – Mr. Johnson Bernard, Addl. Registrar)

## **2. The Secretary OPC- LHC**

Receive, process and monitor all the Complaints/Applications of the Expatriates.

- (Incumbent – Mr. Arif Javaid Dar, Deputy Registrar)

- Both the Officers directly report to the Worthy Registrar, Hon'ble Judges as well as the Hon'ble Chief Justice of Lahore High Court.

# MODE OF RECEIVING APPLICATIONS/COMPLAINTS:

- An aggrieved overseas Pakistani litigant or any person on his behalf can approach the OPC-LHC:
  1. In person/through Attorney/authorized agent
  2. Through e-mail
  3. Web Portal
  4. Through Post/Courier
  5. Through whatsapp
  6. Through Overseas Pakistani Commission, Punjab

# DOCUMENTS REQUIRED TO BE ATACHED WITH APPLICATION/COMPLAINT

1. Copy of Valid Computerized National Identity Card (CNIC).
2. Copy of Valid National Identity Card for Overseas Pakistanis (NICOP).
3. Copy of Pakistan Origin Card (POC).
4. Copy of Valid Foreign Passport / Iqama.
5. Copy of Valid Visa / Residence / Nationality Card.
6. Contact no. of focal person in Pakistan (if any).
7. Complete details of pending litigation in the Court(s).

# SCRUTINY OF APPLICATIONS/COMPLAINTS

- Initially every complaint/application is scrutinized to ensure that the complaint/application is with respect to a case in which an overseas Pakistani is a party.
- Overseas Pakistanis' Cell scrutinizes all the applications as per the criteria laid down by this Hon'ble Court in “**Tanveer Chishti Case** cited as **PLD 2020 Lahore 453**”



# Who is an overseas Pakistani?

- **THE PUNJAB OVERSEAS PAKISTANIS COMMISSION ACT 2021**

“**Overseas Pakistani**” has been defined in **Section 2(k)** of the Act *ibid*.

(i) "Overseas Pakistani" means a person of Pakistani origin who is either permanently or temporarily settled outside Pakistan:

(i) for employment; or

(ii) for carrying on a business or vocation; or

(iii) for any other purpose with intention to stay outside Pakistan for an unspecified period;"

# Continued

Hon'ble Lahore High Court in **Tanveer Chishti case** *supra*, has interpreted the term “overseas Pakistani” and has held that:

- Any person of Pakistani origin, has to fulfill above mentioned three conditions, in order to acquire the status of Overseas Pakistani.
- A person of Pakistani origin not residing outside Pakistan, temporarily or permanently, for any of above-said purposes, cannot be regarded as an overseas Pakistani.
- A person merely having nationality of another country but permanently living in Pakistan, cannot be termed as an Overseas Pakistani.

# TYPES OF COMPLAINTS/APPLICATIONS

- The OPC receives different kinds of applications but mostly such applications pertain to the early disposal of cases pending at: -
  - i. Principal Seat of Lahore High Court and at its allied Benches; and
  - ii. District Judiciary.
- Applications/Complaints related the Government Departments, Private Persons, etc. are forwarded to the concerned departments/authorities.

# Continued

- Director and Secretary of OPC maintain a constant liaison and interaction with the overseas Pakistani litigants to apprise them about the progress of forwarded applications.
- To achieve this goal, other branches of this Court also extend their complete support to OPC.
- The OPC keeps the record of all the applications received by it and the cases decided by the courts.

# COMPLAINT'S DATA (Last year)

- Total applications received: 453
  - Total applications pending: Nil
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- All the applications were processed, scrutinized and were either returned to the applicant/complainant being not maintainable before this forum or were forwarded to the concerned departments/authorities.

# OVERSEAS CASES PENDENCY AND DISPOSAL IN LAHORE HIGH COURT

Sr. No.	Honourable Courts	Total Number of Cases Instituted	Disposal	Pendency
1	Principle seat	167	19	148
2	Rawalpindi Bench	36	14	22
3	Multan Bench	31	03	28
4	Bahawalpur Bench	101	53	48
5	<b>Grand Total</b>	<b>335</b>	<b>89</b>	<b>246</b>

# DATA REGARDING CASES OF EXPATRIATE PAKISTANI LITIGANTS DISTRICT JUDICIARY

- During the last month, total 248 cases were decided by the designated courts.
- 3968 cases of expatriate Pakistanis are pending in the District Judiciary.
- Highest number of cases i.e. 2367 are pending in district Lahore whereas rest 1561 cases are pending in remaining Districts.

# DISTRICT WISE DATA

## Consolidated Statement of cases of Overseas Pakistanis pending in Civil & Magisterial and District & Sessions Courts upto 30th June-2021

Sessions Courts						Civil Courts			
C	Name of Distt.	Pendency	Institution	Disposal	Balance	Pendency	Institution	Disposal	Balance
1	Attock	3	-	-	3	31	3	3	31
2	Bahawalnagar	-	-	-	-	3	-	-	3
3	Bahawalpur	-	-	-	-	25	-	2	23
4	Bhakkar	2	-	-	2	1	-	1	-
5	Chakwal	-	-	-	-	12	-	-	12
6	Chiniot	-	-	-	-	12	1	-	13
7	D.G.Khan	-	-	-	-	22	-	-	22
8	Faisalabad	27	9	10	26	232	11	13	230
9	Gujranwala	-	-	-	-	207	11	10	208
10	Gujrat	1	-	-	1	38	5	3	40
11	Hafizabad	-	-	-	-	1	-	-	1
12	Jhang	-	-	-	-	31	-	-	31
13	Jhelum	3	-	-	3	75	-	5	70
14	Kasur	-	1	-	1	46	4	5	45
15	Khanewal	-	-	-	-	18	-	-	18
16	Khushab	-	-	-	-	2	1	1	2
17	Lahore	127	3	5	125	2245	134	139	2242
18	Layyah	3	1	-	4	2	1	-	3
19	Lodhran	-	-	-	-	-	-	-	-
20	M.B.Din	-	-	-	-	10	-	-	10
21	Mianwali	-	-	-	-	2	-	-	2
22	Multan	4	-	-	4	274	19	27	266
23	Muzaffargarh	-	-	-	-	3	1	-	4
24	Nankana Sahib	4	4	2	6	15	-	-	15
25	Narowal	2	-	-	2	8	-	3	5
26	Okara	21	3	-	24	72	2	1	73
27	Pakpattan	-	-	-	-	18	-	1	17
28	R.Y.Khan	-	-	-	-	25	4	-	29
29	Rajanpur	-	-	-	-	7	-	4	3
30	Rawalpindi	1	-	-	1	66	9	18	57
31	Sahiwal	6	2	1	7	8	3	4	7
32	Sargodha	-	1	-	1	42	-	3	39
33	Sheikhupura	2	-	2	-	68	-	3	65
34	Sialkot	-	-	-	-	6	1	2	5
35	T.T.Singh	7	1	6	2	63	1	9	55
36	Vehari	13	6	8	11	129	6	6	129
<b>Total</b>		<b>226</b>	<b>31</b>	<b>34</b>	<b>223</b>	<b>3819</b>	<b>217</b>	<b>263</b>	<b>3745</b>

<b>Total Pendency</b>	<b>4045</b>
<b>Total Institution</b>	<b>248</b>
<b>Total Disposal</b>	<b>297</b>
<b>Total Balance</b>	<b>3968</b>



# OVERSEAS PAKISTANIS

## (ORDERS & JUDGEMENTS)

- Muhammad Yaqoob Vs Commissioner Lahore Division and others, **2021 C L C 392**
- Tanveer Chishti Vs City Police Officer, **PLD2020 Lahore 453**
- Abdul Wali Vs State Bank of Pakistan, **2020 C L D 147**
- Tariq Mehmood Vs Punjab Overseas Pakistani Commission and others, **PLD 2020 Lahore 49**
- Tahir Mirza Vs Saleha Mehmood DCO etc. **2019 YLR 2852**
- Muhammad Ibrahim Shaikh vs Government Of Pakistan and others, **PLD 2019 Supreme Court 133**
- Dr. Farhat Javed Siddique and others vs Government Of Pakistan and others, **PLD 2018 Supreme Court 788**
- Shahid Idrees vs Government of Punjab and others, **PLD 2018 Lahore 284**
- Dr. Muhammad Tahir Ul Qadri vs Federation Of Pakistan and others, **PLD 2013 Supreme Court 413**
- Sami Ud Din Ghorri vs Lahore Development Authority and others, **2008 SCMR 172**
- Mst. Shahnaz Saif vs Dr. Talat Nadeem and others, **1999 SCMR 2792**

• **THANK YOU**