

Five-Day Advocacy Training Program for the Members of Malir Bar, Batch-2

FEBRUARY 13 - 18, 2020



Report by: **Mohammad Murtaza Khan**

The training program was arranged for 43 nominated young lawyers at Academy to enhance their skills by updated knowledge on Advocacy. Hon'ble Mr. Justice Nadeem Azhar Siddiqui, Former Judge High Court of Sindh delivered a lecture on Civil Procedure Code, 1908. He shared that without studying Civil Procedure Code one cannot be called a practicing lawyer. He elaborated the Jurisdiction of Civil Court described in the Code. He also explained Pleading and Service of Summons. The Hon'ble guest speaker finally unfolded the Execution of Judgment and issuance of Decree.

In the next session, Dr. Ch. Waseem Iqbal, D&SJ & Official Assignee, High Court of Sindh delivered a presentation on "Illegal Dispossession Act, 2005". He unfolded the expedient to protect the lawful owners and occupiers of immovable properties from their illegal or forcible dispossession therefrom by the property grabbers. He also explained the laws relating to Municipal Corporation and Sindh Building Control Authority.

On the second day, two consecutive sessions were conducted by Hon'ble Mr. Justice Hasan Feroz, Former Judge High Court of Sindh. In the first session, his honor explained the Interlocutory Applications in suit. He also explained Execution application and Appeal. Furthermore, he

sensitized the participants on the topics of Counter Affidavit and Rejoinder. Hon'ble Mr. Justice Feroz concluded the first session by explaining Principles for granting Injunction and receivership. In the second session, Hon'ble Mr. Justice Hasan Feroz covered: 1) Oral Examination of Parties (C.P.C), 2) Production of Documents, 3) Referral of case to a Mediator, 4) Importance of Issues and its settlement, 5) Recording Evidence, 6) Art of Arguments, 7) Right of Appeal, Revision and Review.

Hon'ble Mr. Justice Fahim Ahmed Siddiqui, Judge High Court of Sindh conducted two sessions on the third day of the training. The session on Trial in Family Court was opened with a quick brainstorming activity where the Hon'ble Judge asked a question to the participants. The question was: Whether non-fulfilment of the promise of marriage is a family dispute? The participants actively participated in the activity and answered questions. Most of the participants were of the view that any such matter between legal partners would be considered as a family dispute. This activity set the pace of the later part of the lecture. Later on, he covered the topics included: Jurisdiction of Court, Drafting Complaint, Pre-Trial Proceedings, Preliminary Decree, Recording Evidence, Application for interim Maintenance, Application for interim Custody and Art of Arguments.

The successive session was on 'The Defamation Ordinance, 2002'. Hon'ble Mr. Justice Fahim Ahmed Siddiqui covered several topics which included: 1) Salient Features of the Ordinance, 2) Jurisdiction of Court (Civil & Criminal), 3) Trial Procedure, 4) Right of Appeal, 5) Superior Courts Judgments.

On the fourth day, Mr. Shahid Pervez Memon, District & Sessions Judge conducted the first session on The Qanoon-e-Shahadat, 1984. He explained the difference between Primary and Secondary Evidence. He also explained the Relevant Facts. Mr. Memon also unveiled the process of collecting evidence through modern devices. He elaborated the Court's powers to put questions and direct for production of documents. Finally, expounded the concept of Examination-in-Chief, Cross-examination and Re-examination.

The second session was conducted by Mr. Abdul Razzaq Memon, District & Sessions Judge and MIT-II, High Court of Sindh. He delivered a lecture on Law of Probation. He shared that the current probation system originates from legislation introduced in Pakistan in 1960. He also shared that probation may apply to convicts of any age, but is excluded in the case of specified serious offences. He further shared that the court's decision on the suitability of probation is informed by reports from the police and probation service. Mr. Memon informed

that further legislation in year 2000 expands the role of the probation service in investigating the cases of young offenders whereas Parole continues as a separate system.

On the final day of the training session, Hon'ble Mr. Justice Agha Faisal, Judge High Court of Sindh delivered a lecture on Constitution of Pakistan and Fundamental Rights in the first session. He explained the overview of the Constitution and shared that the Constitution of Pakistan provides fundamental rights, which include freedom of speech, freedom of thought, freedom of information, freedom of religion, freedom of association, freedom of press, freedom of assembly and (conditional) right to bear arms.

Mr. M. Shahid Shafiq, D&SJ/SFM, SJA delivered a presentation on Proceedings Before Rent Controller Under the Sindh Rented Premises Ordinance, 1979 & Cantonment Rent Restriction Act, 1963. He elaborated the Jurisdiction of Court with respect to the Ordinance and Act. He also taught Drafting of Miscellaneous Applications with examples. Mr. Shafiq also covered the topic including Grounds for evictions, Recording Evidence, Art of Arguments and Tentative Rent Order.

Certificate distribution ceremony was formally started with the recitation of Holy Quran; Mr. Mohammad Murtaza Khan, I.T Expert/Faculty Member recited the selected verses.

Hon'ble Mr. Justice Ahmed Ali M Shaikh, Chief Justice High Court of Sindh was the Guest of Honor of this ceremony. The Honorable Director General Sindh Judicial Academy Mr. Justice Muhammad Ali Mazhar welcomed the participants and delivered a brief overview of previous training programs held in his short period. He also shared the tentative schedule of upcoming training programs and assured that the Academy would arrange several activities for all the stakeholders of the Justice sector.

The Hon'ble DG presented shield to the Honorable Chief Justice High Court of Sindh, Hon'ble Mr. Justice Nadeem Azhar Siddiqui, Hon'ble Mr. Justice Hasan Feroze, Mr. Muhammad Shahid Shafiq, DSJ/Sr. FM, Mr. Abdul Razzaq, DSJ, Dr. Ch. Waseem Iqbal, DSJ/Special Assignee High Court of Sindh and Mr. Aftab Ahmed Bajwa, Admin Officer SJA.

Hon'ble Mr. Justice Ahmed Ali M Shaikh, Chief Justice High Court of Sindh, in his short address, appreciated the Honorable DG for arranging consecutive successful training sessions in a very short span of time and mentioned that the Academy is on proper track. He, later on, distributed certificates among the participants. The General Secretary and Joint Secretary Malir Bar Association presented the traditional gift of Ajrak to the Hon'ble DG and Hon'ble Chief Justice High Court of Sindh.