

Significant Judgment

SUPREME COURT OF PAKISTAN

Adjournments are an exception, not an entitlement; requests lacking sufficient cause undermine judicial efficiency, access to justice, and public confidence in the administration of justice.

The Supreme Court of Pakistan in **Abbas Ali Shah v. Misha Zeb Khan etc.** decided a petition arose from a challenge to the judgment of the Peshawar High Court. When the matter came up for hearing before the Supreme Court of Pakistan, counsel for the petitioner sought an adjournment through a written application stating only that he was unable to attend due to “prior personal engagements.” The Court found the request vague and unsupported by any legally sufficient justification. Since the petitioner’s Advocate-on-Record (AoR) was present in Court, he was directed to proceed with the case and advance submissions on behalf of the petitioner. After hearing the matter, the Court found no grounds warranting interference with the impugned judgment and dismissed the petition.

The Court nevertheless treated the matter as an opportunity to address the growing practice of casual adjournment requests before the apex Court. Referring to Order XX Rule 2 and Order XXX Part A Rule 3 of the Supreme Court Rules, 2025, the Court emphasized that adjournments may only be granted upon a proper application showing sufficient cause. The Court also noted official data indicating that 653 adjournment requests had been made between January and March 2026, many of them after the Court had assembled and matters were otherwise ready for hearing. The judgment therefore focused on reinforcing procedural discipline and responsible advocacy before the Supreme Court.

The Supreme Court reaffirmed that the administration of justice requires strict adherence to procedural discipline and responsible conduct by members of the Bar. The Court held that the mere unavailability, convenience, or scheduling preference of counsel does not constitute “sufficient cause” for adjournment.

The judgment underscored that adjournments are discretionary judicial concessions rather than procedural rights. Routine requests for postponement waste valuable judicial time, consume public resources, delay resolution of disputes, and adversely affect litigants’ access to justice. The Court linked the misuse of adjournments with broader constitutional concerns, observing that the guarantees of fair trial and due process under Article 10-A of the Constitution cannot be reconciled with a culture of delay based on convenience. Judicial time, once lost, cannot be recovered, and unnecessary postponements diminish public confidence in the justice system.

Accordingly, the Court placed the legal profession on notice that future requests for adjournment must strictly comply with the Supreme Court Rules and be supported by demonstrable sufficient cause. Requests lacking such justification may attract compensatory costs and other consequences. The decision serves as an important reaffirmation of judicial efficiency, accountability of counsel, and timely dispensation of justice.