

THE IMAC

REVIEW

VOL. II ISSUE (2026)



IMAC



Alternate Dispute Resolution: A feather in Pakistan Judiciary's CAP

Abstract

The judiciary of Pakistan is struggling with thousands of cases pending resolution for the last two decades. To restore the trust of the people of Pakistan, the Courts of Pakistan have embraced the idea of Alternate Dispute Resolution (ADR) well before the passing of the relevant legislation. This article discusses the development of the Courts of Pakistan in the last decade regarding the resolution of cases through the alternate dispute resolution method. Furthermore, the article explores the use of ADR in civil cases, commercial cases, tax cases, and family law cases. Most importantly, the article makes evident the steps that the Superior Judiciary of Pakistan has taken to recognize ADR as a confidential and cost-effective means of resolving disputes in line with Article 37(d) of the Constitution of Pakistan, 1973.

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Keywords: Arbitration, Civil, Commercial, Dispute, Justice, Litigation, Mediation, Settlement, Procedural Law

Introduction

Article 37(d) of the Constitution of the Islamic Republic of Pakistan, 1973 necessitates the State to make sure that justice is both accessible and speedy. Additionally, Article 10A of the same constitution gives everyone the assurance of a fair trial. But, the scene in the courts of Pakistan presents the somewhat otherwise situation. Thousands of cases are still awaiting the decision of judges in different courts. Sometimes, most cases need only a few weeks to resolve but the common litigants are on an average of waiting for years, even decades to settle them. In this perspective, the use of ADR, particularly mediation, is a much-needed part of the system. ADR is a term used to refer to various methods of dispute resolution, including mediation, arbitration, and negotiation. Mediation is the way a neutral person, the mediator, assists the parties to reach an agreement that is agreeable to both of them. Unlike arbitration, where a third party decides, mediation is voluntary and confidential. It aims at solutions that interest the parties concerned all, hence lowering costs and delays; therefore, it is a good approach for Pakistan's legal framework. The judiciary has a pivotal role to play in relation to the promotion of ADR, the building of a precise legal framework that designates mediation as the first choice. Judgments of the Supreme Court and High Courts such as those in Lahore, Sindh, Islamabad, Peshawar, and Azad Jammu and Kashmir, have touched upon ADR in civil, commercial, tax, and family cases, thus contributing to the establishment of a friendly ambient. The superior courts were the original drivers of ADR leading the way before specific laws were passed. The Alternative Dispute Resolution Act was enacted in 2017, twelve years after the initial decision made in 'Muhammad Ramzan v. Afridi Variety Centre through Proprietor' (PLD 2005 Peshawar 269). Mediation was later in 2007, mentioned by the Supreme Court in 'Federation of Pakistan v. Attock Petroleum Ltd.' (2007 SCMR 1095) for tax disputes. The above-mentioned legislative assemblies followed the example of the paddle boat, showing that the judges perceived the requirement of ADR before the authorities. The courts were leaders in constructing the framework which was latterly formalized by the Government. It is an example of the judiciary becoming a chief player in Pakistan's legal framework moving away to other methods of solving disagreements. More than forty cases recorded in civil, commercial, tax, and family disputes



where the necessity of mediation has been underlined have been reported. Of the total, the Supreme Court issued nine verdicts to guide lower courts in this regard, while the Lahore High Court made an eloquent statement of its own issuing nineteen verdicts which reflect the stern commitment of Punjab to the process. Cumulatively, these judicial proclamations give rise to a consistent legal structure that hails ADR. They are an important stride toward developing a national ADR culture in Pakistan. The mentioned sentences are not merely instances of the judges' eagerness; they create a foundation for a more efficient and speedier dispute resolution framework. This piece of writing studies the transformations of the judiciary in detail, elucidates the concept of ADR in Pakistan, summarizes the laws affecting it, analyzes its use in civil, commercial, tax, and family cases, and points out emerging principles and challenges. At the end of the article, a summarization is presented in the form of an overview of the discussed developments.

Legislative Framework of ADR in Pakistan

The out-of-court dispute resolution mechanism in Pakistan has undergone several changes since its inception. The Arbitration Act of 1940¹, which was inherited from the British colonial period, was the Act that provided the first and basic guideline for the referral of disputes to arbitration. The referral could take place either with the consent of the parties, or in certain instances by a court order. The 1940 Act is a provincial law, as such, it remains in force after the Eighteenth Constitutional Amendment; however, its application has been broadened by the International Arbitration Act of 2011. The latter is the law that specifically deals with Pakistan's obligations under the New York Convention, which is an international treaty signed in 1958 that gives the arbitrators the power to enforce arbitration awards made by foreign tribunals. A very important change that has happened in the previous years was the introduction of the Alternative Dispute Resolution Act of 2017². The Act, besides mediation, all the necessary mechanisms which facilitate conflict resolution without the need to go to the court to be implemented. It also supported the establishment of special centres, trained people to be mediators, and provided guarantees that mediation contracts would be enforceable in courts. Following the passing of this law, other supplementary regulations were issued to aid its smooth execution, for example, the ADR Mediation Accreditation Rules and Mediation Practice Direction Rules were issued in 2023. The aforementioned rules aided the insertion of mediation into the civil justice structure. In the instance of tax disputes, the government through the enactment of different tax laws has manifested the will to adopt court-free approaches for dispute resolution in tax matters. An illustration of this is Section 134A of the Income Tax Ordinance from 2001 and Section 38 of the Federal Excise Act from 2005, which are the provisions that empower the Federal Board of Revenue to set up special committees that address tax disputes mainly those that are related to state companies. Another example, the Muslim Family Laws Ordinance 1961 is a law that mandates arbitration in family disputes and many provincial laws now prescribe mediation in issues like rent and consumer problems. This method aims at finding solutions that they all accept without the need for court interference. While arbitration compels the parties to accept the set decision, mediation works on the opposite principle and gives the parties a chance to be under control. Where arbitration leads to decisions that are open like a court ruling, and acceptance of them is obligatory, mediation, on the contrary, concentrates on supporting individuals in achieving a consensus that is equitable to all. The Hon;ble Supreme Court, in the case of *Province of Punjab v. Messrs Haroon Construction Company*,³ identified the significance of mediation. The Court stated that mediation is a cooperative way to resolve conflicts that lead to mutual benefits, while going to court results in one person winning and the other losing. Mediation advances the interests of both parties. This way of thinking could have considerable consequences. To start with, one beneficial aspect of mediation is that it helps to preserve the existing relationships. Additionally, it is financially advantageous, as individuals' expenditures on lawyers and court fees will decrease due to the fact that they have the potential to create their own solutions. Therefore, their commitment to adhering to these strategies will be much greater, as they are the ones who have formulated them.

¹ It received the assent of the Governor General on 11th, 1940 and published in The Gazette of India on 16th March, 1940. Subsequently, upon creation of Pakistan, it was adopted in 1947 to regulate domestic commercial and civil disputes.

² It received assent of President on 30th May, 2017 and published in the Gazette of Pakistan on June 1, 2017. It is confined to the Islamabad Capital Territory.

³ 2024 S C M R 947

Mediation in Civil Matters

Much of the case law relating to mediation in Pakistan, has emerged from civil litigation. Judges here face all sorts of disputes-landlord and tenant battles, business partnerships disputes, contract disputes and so forth, and time and time again, the courts strongly encourage the parties, or lower courts, to try Mediation.

In *Ishfaq Ahmed v. Mushtaq Ahmed*⁴, the Supreme Court delivered a very significant judgment. While the judgment, which is primarily dealing with a dispute regarding rents, the SC, in its judgment also touched upon the role of ADR in view of technological advancements such as AI in the legal sphere. It was observed that, AI does not understand how a mediator can coax parties into settling; machines can't detect emotion or soothe frayed nerves and there is wisdom in silence. Mediation involves human nuances, which is why it continues to be so valuable despite all the automations available now for legal work and in fact it has become mainstream in the settlement arena.

In the matter of *HASCOL Petroleum Limited v. Additional Rent Controller*⁵, the Lahore High Court described mediation as a mode of settling disputes not only permissible but also appropriate as it is cooperative, confidential, flexible and preserves the parties' control over the outcome. The Court relied on several Supreme Court judgments and appointed a retired judge for a mediation of a commercial tenancy dispute; it reiterated that once a party has agreed to mediation through a contract, he should stick to it and courts should not sit idle, but instead facilitate this process.

In the case of *Messrs 5H Insaat ve Ticaret Anonim Sirketi v. Secretary*⁶, the Lahore High Court listed compelling reasons as to why mediation is to be opted for; firstly, costs can be saved that would have otherwise be spent endlessly litigating. Secondly, the courts load is reduced. Thirdly, a settlement will be reached in much lesser time. The said case was concerning a dispute with foreign contractors and the importance of speedy resolution in public infrastructure projects was reiterated where delays can harm both parties and deprived the public of required facilities, make it an impediment in life, and discourage investors. Mediation does more than assist the disputants; it benefits all.

*Shehzad Arshad v. Pervez Arshad*⁷ held that mediation be opted for by the Sindh High Court especially for family civil property dispute. It was reiterated by the Islamabad High Court in *Miss Memoona Zainab Kazmi v. Additional District Judge*⁸. And in general, the theme in judgments across Pakistan has been that it is the preferred, more humane way to go about dispute resolution, and the judges will make sure it is enforced.

Mediation in Commercial Matters

Commercial matters are arguably the area where ADR offers the greatest promise. Business relationships, bilateral agreements and corporate governance conflicts all involve continuing relationships which are more than likely to be irrevocably damaged by an adversarial legal system. The Pakistani judiciary, recognizing this reality, has generated a corpus of commercial ADR jurisprudence which embraces mediation and arbitration as the natural first port of call for commercial disputes.

The Supreme Court has been instrumental in building this area of jurisprudence. The case of *Orient Power Company (Private) Limited v. Sui Northern Gas Pipelines Limited*⁹ provided the framework for commercial arbitration and affirmed the doctrine of minimal judicial interference as it applies to energy disputes. The Court stated that the function of the courts in relation to arbitration is to support rather than supplant it; and that courts should not compete with arbitral tribunals but, instead, complement their efforts. The overarching philosophy of the pro-ADR posture has been aptly summed up in one of the Court's aphorisms: courts as partners, not rivals, to the arbitration process.

⁴ PLD 2025 SC 582

⁵ 2026 CLC 607

⁶ 2025 CLD 813

⁷ 2024 CLD 1121 (also reported as PLD 2024 Sindh 408)

⁸ 2023 C L C 207

⁹ 2021 SCMR 1728

In *Taisei Corporation v. A.M. Construction Company (Pvt.) Ltd.*¹⁰ the Supreme Court delivered a sweeping judgment on international commercial arbitration. This judgment has given clarity and impetus to the concept of minimal judicial intervention and the pro-enforcement bias embedded in the New York Convention. It held that courts should restrict themselves from narrowly construing the exception on grounds of public policy in foreign award enforcement proceedings and that, it would be wrong to permit a probing into the merits of the arbitration decision through this exception. It has certainly increased Pakistan's attractiveness as a seat of international commercial arbitration.

In the corporate arena, the Lahore High Court has made a novel contribution of combining Early Neutral Evaluation (ENE) with mediation within the corporate realm-court process, by initiating its application through Companies-Court proceedings. *Faisal Zafar v. Siraj-ud-Din*¹¹ applied this mechanism for a dispute falling under Section 276 and 277 of the Companies Act, 2017. So, did *Netherlands Financierings Maatschappij Voor Ontwikkelingslanden N.V. (FMO) v. Morgah Valley Limited and SECP*¹², where it directed ENE followed by mediation in a corporate dispute demonstrating how two processes can fruitfully interact.

In *Messr Mughals Pakistan (Pvt.) Limited v. Employees Old Age Benefits Institution*¹³, another landmark Supreme Court decision, the scope of arbitration and mediation as a method of dispute resolution was extended not only to commercial disputes between private parties but also disputes involving corporations and regulatory bodies and enforcement matters have been directed to commence with mediation as a first resort by the apex court of Pakistan.

*Muhammad Aarsal v. Messr Sadiq Feeds (Pvt.) Ltd.*¹⁴ in Lahore High Court, another judgment, has explored the possibility of a corporate mediation proceeding in a private limited company through the machinery of an AGM; and in that context it initiated a mediation in respect of the internal disputes among family business members using Section 286-288 of the Companies Act, directing mediation so that the million of rupees worth of corporate assets and the livelihood of thousands of employees involved could be salvaged.

In *Descon Engineering Ltd. V. CNERGYICO Pk. Ltd*¹⁵ Sindh High Court highlighted how mediation, above all other forms of ADR, has its particular advantages when it comes to businessmen and the need for the courts to display a pro-settlement and pro-mediation bias was emphasized. Commercial entities are no less sophisticated than their individual counterparts, have far greater business interests in continuing relations, and have powerful incentives to compromise.

*Askari Bank Limited v. Messr Khawaja Flat Glass Industries*¹⁶ in the Lahore High Court, introduced what has been designated as the Five R's Methodology to address the issue of loan recovery between banks and defaulting corporate borrowers, i.e., Recovery, Restructure, Renewal/Revival, Resurrection, and Resolution through mediation. Thus, the ultimate aim for mediation has become to bring about a resolution after all other forms of settlement processes have been unsuccessfully applied in an increasing graded approach.

*Sohail Nisar v. Nadeem Nisar*¹⁷ is a clear case in support of compulsory mediation in a dispute between family members running an enterprise. This case points out the importance and effectiveness of ADR particularly for disputes among family members precisely for the reason that dispute among family members have relational component which call for a remedy which aims to restore harmony, not rupture relations.

Mediation in Tax Matters

Tax disputes represent a unique area where ADR faces considerable obstacles. The state acts as a party to a tax controversy, thereby bringing a public interest into the matter in the form of revenue collection. However, it has been realized by the courts and legislature in Pakistan that protracted tax litigation is as

¹⁰ 2024 SCMR 640

¹¹ 2024 CLD 1

¹² PLD 2024 Lahore 315 (also reported as 2024 CLD 685)

¹³ PLD 2025 SC 1

¹⁴ 2025 CLD 1200

¹⁵ 2025 CLD 1807

¹⁶ 2025 CLD 1176

¹⁷ 2025 MLD 105

inimical to the interest of the State-which would have to wait years for any tax recoveries-as it is to the taxpayers' interest as their cash-flow gets impacted and uncertainty persists. Accordingly, a strong tax ADR system should be the goal of both revenue authorities and taxpayers. The Supreme Court in the case of *Federation of Pakistan v. Attock Petroleum Ltd*¹⁸ spoke to the scope of tax mediation, but held that it was applicable where there is no criminal liability. This has since been regarded as the seminal precedent with regard to the scope and ambit of tax ADR, which would only apply within the civil revenue recovery domain and not prosecution for tax fraud and evasion. Subsequently in the case of *Commissioner Inland Revenue v. Messrs RYK Mills*¹⁹, the Supreme Court held that the issuance of a show cause notice to the taxpayer is itself a form of ADR and this observation signals the growing trend towards dispute settlement prior to formal adjudication and in order to bypass the traditional lengthy litigation. The most robust tax ADR system operates under section 134A of the ITO 2001, whereby an Alternative Dispute Resolution Committee (ADRC) shall be constituted, for resolving disputes between the State-owned enterprises and the FBR. The Lahore High Court in the case of *Strategic Plans Division v. Punjab Revenue Authority*²⁰, extensively explained the ADR/mediation regime prevalent in Pakistan and ruled that the courts must strive to actively support mediation and foster a pro-mediation bias in judicial thinking. The judgement attempted to establish the philosophical and jurisprudential basis of the pro-mediation approach in Pakistan by tracing the trends internationally and locally. In another case²¹, it was held by the Lahore High Court that where the ADRC was not constituted the taxpayer had an enforceable right of ADR which the courts would not be hesitate to enforce by issuing a writ of mandamus. Procedurally, in *Pakistan Railway Advisory and Consultancy Services v. Assistant Commissioner*²², it was held that the sixty days' limitation period stipulated in the act shall apply to mediation, where on its expiry and non-resolution the taxpayer can proceed with the appellate remedies as of right. Under section 134A of the ITO 2001 the Sindh High Court in the case of *Civil Aviation Authority of Pakistan v. Federation of Pakistan*²³ reiterated the rationale behind tax mediation that it aimed at a just resolution of tax disputes, saving both the state and the taxpayer unnecessary time and costs. The Islamabad High Court in *Pakistan Television Corporation Limited v. Appellate Tribunal Inland Revenue*²⁴ directed reference to the ADR committee for settlement of the tax dispute under section 38 of FE Act 2005, thereby implying that where a statutory mechanism for ADR is provided, the same should be opted for before commencing appellate proceedings. Furthermore, the Sindh High Court in the case of *Trading Corporation of Pakistan v. Federation of Pakistan*²⁵, provided an important procedural clarity; SOEs must approach the FBR to constitution an ADRC, thereby establishing that recourse to ADRC is an obligatory pre-requisite.

Mediation in Family Matters

It is in the sphere of family law that mediation is the most naturally suited. Disputes regarding marriage, custody, maintenance and succession involve deeply rooted emotional, relational and historical factors which are generally exacerbated by adversarial proceedings. In Pakistan, this has long been recognized. The Muslim Family Laws Ordinance, 1961 (which governs marriage, divorce and maintenance among Muslim citizens), requires that, upon a divorce being pronounced by the husband, it shall not be effective until it has been registered by the Chairman, Arbitration Council. If the husband wishes to divorce, the Arbitration Council is duty-bound to mediate and bring the parties together.

It has been held by the Supreme Court in *Farzana Rasool v. Dr. Muhammad Bashir*²⁶ that the Family Courts are empowered to pass an order in accordance with the recommendation of arbitrators appointed by the parties in their family dispute. This was the earliest pronouncement of the apex Court and established that the jurisdiction of the Family Court is enhanced, not replaced by, arbitration or

¹⁸ 2007 SCMR 1095

¹⁹ 2023 SCMR 1856

²⁰ PLD 2024 Lahore 545

²¹ *Messrs National Logistics Cell v. Assistant/Deputy Commissioner* (2025 PTD 614)

²² 2025 PTD 1596

²³ 2024 CLD 1518

²⁴ 2025 PTD 1575

²⁵ 2024 PTD 1571

²⁶ 2011 SCMR 1361

mediation and the courts are bound to implement family settlements reached with the aid of neutral third parties.

The Lahore High Court, in *Shabbir Ahmad v. Chairman, Arbitration Council*²⁷, has given a clear interpretation of Section 9 of the Muslim Family Laws Ordinance, 1961 and held that the institution of a suit in the Family Court for divorce proceedings does not preclude application of Section 9 and is in fact complementary to it. Similarly, the family court can also make suitable orders after application of the section. The function of the Arbitration Council is, thus, not exclusive.

Most recently, the landmark judgment by the Supreme Court in *Muhammad Naseer Butt v. Additional District Judge, Lahore*²⁸ is the most exhaustive judicial statement to date on the importance of, and methodology of, mediation in family disputes. It states that mediation is not just an alternative but a paradigm shift in dispute resolution built on principles of collaboration, confidentiality, and party autonomy. It provides a non-adversarial means of giving the parties themselves control over the resolution of their dispute, rather than having their dispute resolved by a judicial officer on their behalf. The *Muhammad Naseer Butt* judgment notes the striking success rate that mediation has demonstrated before the court; issues which would have been contested for years were successfully resolved in weeks through mediation. This has great persuasive value as it empirically proves the virtues of mediation in our courts. The Supreme Court directed courts to promote a pro-mediation environment and be proactive in mediating and referring matters at the earliest possible stage in litigation and judge and lawyer be sensitised in identifying mediation-fit cases. The Supreme Court further took note of the legislative framework namely the ADR Act 2017 and the subsequently promulgated provincial legislation, Mediation Practice Direction (Civil) Rules 2023, and ADR Mediation Accreditation (Eligibility) Rules 2023; it established that mediation is no longer a choice but a mainstream mechanism legislated for and established through practice direction, to manage cases within the justice system.

In the sphere where family law intersects with commercial law, the Lahore High Court in *Sohail Nisar v. Nadeem Nisar*²⁹ has ordered mediation amongst family members where they are also business partners in a matter which involves dispute concerning business related family properties. The Lahore High Court aptly observed that if relations are to be preserved then ADR, specifically mediation has to be the most appropriate process for resolving family disputes as it provides the parties with an acceptable outcome, which the judges under the current rules cannot afford.

Analysis: ADR as a Feather in Pakistan Judiciary's cap

Based on the overview of ADR jurisprudence in Pakistan presented here, one may safely say that the judiciary in Pakistan is a dynamic body currently undergoing a transformation. There are three core themes that the judicial pronouncements cited in this article reflect.

(a). Moving from Toleration to Advocacy: A Pro-Mediation Judicial Ethos

While the initial jurisprudence concerning ADR in Pakistan was one of mere toleration, i.e., the court took a hands-off approach as long as parties amicably settled their disputes or honors made through arbitration or settlement, the recent jurisprudence has decisively turned from Toleration to Advocacy. The directive to the courts, reiterated in case after case by the Supreme Court, that they should have a pro-settlement and pro-mediation bias, cannot be relegated to mere obiter. It is a mandatory instruction to the entire judicial hierarchy from the Supreme Court to the District Judiciary to actively promote mediation, identify cases suitable for mediation, and direct them to mediation promptly.

Philosophically, a pro-mediation bias is not a bias for settlement over non-settlement, but it is an institutionally developed preference for mediation over adjudication as the favored mode of dispute resolution. It represents a system-wide affirmation that consensual resolution is in most cases, preferable to imposed adjudication in terms of both party satisfaction and compliance, and the continued amicable relationship between the parties—a position amply supported by evidence from around the globe.

²⁷ 2018 CLC 836

²⁸ PLD 2025 SC 499

²⁹ 2025 MLD 105

(b). Mediation as a Constitutional Imperative

The superior courts of Pakistan have often relied on the constitutional provisions to justify the judiciary's endorsement of mediation as the preferred mode of dispute resolution. The constitution states that "every citizen shall have the right to a fair trial and to due process" (Article 10A) and "adequate and effective justice for all" (Article 37(d)). According to the courts, an adjudicative system, which relies exclusively on adversarial proceedings leading to delay, cost, and stress is unable to guarantee "inexpensive and expeditious justice". It is because mediation, by contrast is a constitutionally sound system: inexpensive, expeditious, fair and a party driven system that the courts are promoting mediation with conviction.

This emphasis on the constitutional values that underlay the promotion of mediation places Pakistan's jurisprudence in this regard on a much firmer normative foundation beyond a mere expression of institutional preference. The constitutionality of a dispute resolution mechanism is much more compelling than its mere efficacy. When a court of law chooses to neglect the promotion of mediation or hinders the parties from settling their disputes through it, it may very well be seen to be neglecting its constitutional obligations of providing adequate and effective justice to all citizens at minimal cost and within minimum time.

(c). Remaining Challenges and the Road Forward

The development of the jurisprudence of ADR in Pakistan has been impressive indeed but significant practical challenges remain. Mediators' accreditation systems are still in a rudimentary phase, and there aren't enough trained mediators and experts who can cater to the potential demand for mediations. General awareness of ADR remains poor among the masses, especially in rural areas and with the informal economy. The legal culture at the bar which thrives on litigative fees might find it difficult to embrace an increase in mediations, and despite the legally acceptable award given by the mediator, enforcement of mediated settlements is likely to remain an issue in some cases.

Judicial reforms, by ensuring that cases are systematically directed towards mediation at an appropriate stage, by consistently upholding mediated settlements, and by developing a uniform ADR jurisprudence, can overcome some of these hurdles. Legislative intervention is required for setting up infrastructure of provincial ADR centers and supporting them through sufficient funding and by requiring mediation orientation sessions in civil and commercial suits. Mediation must be integrated in the legal education curriculum rather than considered as an optional subject at law schools.

Conclusion

The superior courts of Pakistan have, over the last one and a half decades, created a phenomenal chapter in the history of dispute resolution reforms. From mere acknowledgment that parties may reach settlement outside the court, the courts have now firmly moved towards endorsing, in fact embracing and mandating ADR, and more particularly mediation, as the preferred dispute resolution mechanism for the settlement of civil, commercial, tax and family disputes in the country.

The cases that have been reviewed in this article come from all tiers of the judiciary, from the Supreme Court to the High Courts of Lahore, Sindh, Islamabad, Peshawar, and Azad Jammu and Kashmir. The cases relate to all kinds of disputes; landlord-tenant disputes, international arbitrations, crises in corporate governance, controversies involving tax recovery, and family disputes among others, but they consistently indicate one fundamental principle: Mediation works, and courts must work.

The metaphor of ADR as a 'feather in Pakistan's judicial cap' truly fits. A 'feather in the cap' is used to symbolize a mark of distinction, an accomplishment to be proud of. Pakistan's superior courts, through their promotion of mediation have truly distinguished themselves from judicial systems that remain confined to formal adversarial litigation and have evinced great courage, intellect and a genuine desire to help litigant parties by advocating and ensuring their access to a more efficient and equitable dispute resolution system. The promise of 'inexpensive and expeditious justice for all' is better realized when it is not a concession made for pragmatic reasons but is truly understood as an inalienable right guaranteed by the Constitution to every citizen.

The path ahead does require continuous and collective effort by the judiciary, the legislature, the bar, and civil society. However, the path to that future is clearly marked, the jurisprudential foundation for it laid on solid grounds and an overwhelming institutional momentum is evident to that direction. As rightly captured by the Supreme Court, "What years of litigation failed to achieve has been accomplished within a few weeks through mediation." It is indeed a lesson that Pakistan's judicial system is indeed learning and must not let go of.

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