

## Abstract

Since 2009, after the restoration of the superior judiciary in aftermath of the Lawyers' Movement; Pakistan's apex Court has an activist approach while dealing with public policy matters and political questions. This research would dissect the status of separation of powers as a constitutional principle in the Pakistan's Constitution and its implementation in the Supreme Court's verdicts. For that matter, several key judgments by the Supreme Court of Pakistan would be thoroughly examined. It would also analyse whether Supreme Court entangled in the other two organs of the government or not and what were the constitutional basis of it to do so? It empirically dissects the tough question of institutional inefficiency argument for intervening in the turf of the legislature and executive by the judiciary. For that matter, a question would be posed, which is: whether such intervention justified in the other organs of the government as a matter of principle based on the institutional inefficiency argument? Empirically, the impact of the Supreme Court's intervention in the matters of executive and legislature on the betterment of governance would be studied. By applying the theory of Ronald Dworkin's regarding adjudication of public policy by judges, this research would study through matters of public policy took by the Supreme Court from 2009 – 2019 and analyse in this framework whether a judge should take up matters of public policy? Code of Conduct issued by the Supreme Court would also be analysed by looking at the policy adopted by judges since 2009. The conduct of the judges would be analysed as well in the framework of the oath of office for a judge provided in The Constitution of Pakistan.

This thesis will also dissect the impact of active coverage by media on the policy of the Supreme Court. Lastly, this research would give suggestions for better interaction between the executive, the legislatures and the judiciary, and for a mechanism to regulate the scope of original jurisdiction of the Supreme Court under Article 184 (3) of the Constitution of Pakistan.