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SUPREME COURT

When the Constitution Speaks, Courts Must Act

Supreme Court Backs Suo Motu Striking Down of Unjust Rules

Sheikh Rayees • April 7, 2025

PUBLISHED REPORT

In a sweeping affirmation of constitutional vigilance, the Supreme Court has ruled that High Courts can strike down subordinate legislation on their own motion—without any formal challenge—if such rules blatantly infringe on fundamental rights or violate binding precedents. Subordinate laws—rules made by the executive under the shadow of primary legislation—are often presumed valid. But that presumption, the top court clarified, is not immune to constitutional scrutiny. If a rule...

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