

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D-2208 of 2026  
(*Iftikhar Ahmed versus Zahid Aziz & others*)

Date	Order with signature of Judge
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Mr. Justice Adnan-ul-Karim Memon  
Mr. Justice Muhammad Hasan (Akber)

**Date of hearing and order: 19.5.2026**

Mr. Zaheer Abbas advocate for the petitioner  
Mr. Muhammad Akbar Khan, Assistant Attorney General  
Mr. Abdus Samad Khan, Law Officer, NADRA  
Respondent No.1 is present in person

**ORDER**

**Adnan-ul-Karim Memon, J.** Petitioner Iftikhar Ahmed has filed this Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking the following relief: -

- a. *To set aside the impugned order by unblocking the CNIC of the petitioner.*
- b. *To direct the learned trial Court to pass an order for payment of the decretal amount in the shape of a minimum installment per month.*

2. Learned counsel for the petitioner submits that the petitioner is aggrieved by the impugned letter dated 30.07.2025 passed by the learned VIII Senior Civil Judge, South, Karachi, in Civil Suit No.436 of 2017, as well as letter No.8724 issued by NADRA, whereby the CNIC of the petitioner has been blocked pursuant to the decree passed in the said suit. It is contended that although the suit for recovery was decreed for an amount of Rs. 24,00,000/-, the petitioner has already deposited Rs. 5,00,000/- in installments towards the decretal amount. Learned counsel submits that despite partial compliance and willingness of the petitioner to pay the remaining decretal amount through installments, the learned Trial Court, without properly appreciating the facts and law, directed the blocking of the petitioner's CNIC, causing serious hardship in his business transactions and daily affairs. It is further argued that the impugned order is arbitrary, non-speaking, passed without proper application of judicial mind, and in violation of settled principles of law, including the principle of audi alteram partem. Learned counsel contends that the petitioner was not afforded a proper opportunity of hearing before passing the impugned order and that the same has resulted in a miscarriage of justice and mental agony to the petitioner. He therefore prays that the impugned order and consequential blocking of CNIC be set aside and the Trial Court be directed to allow payment of the remaining decretal amount through reasonable monthly installments.

3. The respondent/decreed holder is present in person and submits that the decree in Civil Suit No.436 of 2017 was passed in his favour in the year 2022

against the petitioner/judgment debtor, namely Iftikhar Ahmed, for recovery of the decretal amount. It is contended that despite lapse of considerable time, the petitioner has failed to satisfy the decree and has only paid one installment of Rs. 500,000/- out of the outstanding liability. He further submits that the petitioner had earlier undertaken before the learned Trial Court to clear the decretal amount through monthly installments of Rs.500,000/-, however, after making one payment, he defaulted and repeatedly remained absent from the proceedings, compelling the learned Executing Court to issue Non-Bailable Warrants on several occasions. He further submits that, to facilitate settlement, the decree holder agreed to accept monthly installments of Rs. 250,000/- subject to the petitioner furnishing post-dated cheques, securing the outstanding amount, and depositing title documents of the subject property before the Court as security. It is submitted that, as per the calculation, the outstanding decretal amount, along with 10% yearly mark-up, comes to Rs. 3,390,614/-. He therefore requests that the petitioner be directed to strictly comply with the proposed payment schedule and furnish adequate security for satisfaction of the decree.

4. Learned counsel for NADRA submits that the CNIC of the petitioner bearing No.42501-1338323-3 was digitally impounded pursuant to the order passed by the learned II Senior Civil Judge, Karachi South, in Civil Execution No.06 of 2023 arising out of Civil Suit No.436 of 2017. He further submits that the CNIC can only be de-blocked upon issuance of appropriate orders by the same Court.

5. We have heard the learned counsel for the parties and perused the available record. It is an admitted position that Civil Suit No.436 of 2017 was decreed in favour of the respondent/decreed holder and against the petitioner/judgment debtor, and the decree has attained finality. It is also not disputed that despite undertaking before the learned Executing Court to liquidate the decretal amount through monthly installments of Rs. 500,000/-, the petitioner paid only one installment of Rs. 500,000/- and thereafter defaulted in making further payments, besides remaining absent from the execution proceedings on several dates, which constrained the learned Executing Court to issue coercive process, including Non-Bailable Warrants. The conduct of the petitioner, therefore, does not reflect bona fide compliance with the decree of a competent Court.

6. At the same time, it cannot be overlooked that the blocking of a CNIC has serious civil consequences, as the same directly affects a citizen's ability to carry on business, banking transactions, mobility, and day-to-day affairs. Such a measure, though adopted pursuant to the order of the Executing Court, is essentially coercive in nature and is intended to secure compliance with the decree

rather than to punish the judgment debtor indefinitely. Execution proceedings are meant for satisfaction of the decree and not for creating a situation where the judgment debtor becomes completely incapacitated from earning a livelihood and arranging payment of the decretal amount.

7. In the present matter, the respondent/decreed holder himself has shown willingness to accept payment of the outstanding decretal amount through monthly installments of Rs. 250,000/-, subject to adequate safeguards. The petitioner has also expressed readiness to clear the decretal liability through installments.

8. In such circumstances, this Court is of the view that blocking or suspension of a CNIC of a judgment-debtor is unlawful in the absence of any express provision in the C.P.C., Financial Institutions Ordinance, 2001, or Section 18 of the NADRA Ordinance, 2000 authorizing such action in execution proceedings. Section 51 C.P.C. does not empower Courts to block CNICs. Since the blockage of CNIC seriously affects fundamental rights guaranteed under Article 9 of the Constitution, it cannot be used as a coercive mode of recovery without lawful authority. Consequently, NADRA is directed to immediately unblock and restore the CNICs of the judgment debtor/petitioner.

9. Consequently, without touching the merits or legality of the decree passed by the learned Trial Court, which needs to be enforced under the law subject to all just exceptions as provided under the law.

10. With the above observations and directions, this Constitutional Petition stands disposed of along with all pending applications.

JUDGE

JUDGE