

IN THE HIGH COURT OF SINDH AT KARACHI

Present:

Mr. Justice Muhammad Saleem Jessar;

Mr. Justice Abdul Hamid Bhurgri.

C.P No.D-4139 of 2026

[Inayatullah Khan V. Government of Sindh and others]

Petitioner : Through Mr. Arbab Ahmed Khankhel, Advocate.

Respondents 1 to 6 : Through Mr. Kamran Hussain Baloch, Asst. A.G.

Respondents 7 to 10 : Nemo.

Date of Hearing : 01.09.2026

Date of Order : 01.09.2026

J U D G M E N T

Abdul Hamid Bhurgri, J.- Through the instant Constitution Petition, the petitioner, who is serving as an Inspector of Police and is presently posted at P.S. Jackson, has approached this Court essentially with the grievance that certain private respondents have launched a false and fabricated campaign against him through print and social media, allegedly at the behest of narcotics/criminal elements. According to him, on the basis of such campaign, his departmental superiors have called him and certain other police officials and conducted inquiries into the allegations.

2. The petitioner consequently seeks, inter alia, directions to the official respondents, particularly respondent No.6, not to take coercive action against him or hold any inquiry on the basis of such media reports; to provide/sanction requisite police force at P.S. Jackson enabling him to curb crime and discharge his official duties; and to direct respondent No.2 to hold an inquiry against the private respondents and initiate appropriate criminal proceedings against them.

3. We have heard learned counsel for the petitioner and examined the material available on record. The nature of the reliefs sought makes it apparent that the controversy essentially pertains to matters falling within the administrative, supervisory, operational and disciplinary domain of the Police Department. Whether allegations against a serving police officer require verification or departmental inquiry; what police strength is required to be deployed

at a particular police station; and what administrative measures are necessary for effective policing are matters which, in the first instance, fall within the competence of the departmental hierarchy. Constitutional jurisdiction cannot ordinarily be invoked by a serving member of a disciplined force to secure judicial intervention in such routine administrative and supervisory matters.

4. Significantly, the petitioner's own pleadings disclose that he was called by his superior officer in connection with the allegations, was afforded an opportunity to explain his position and, according to him, successfully defended himself. It is further pleaded that he has already submitted an application dated 15.06.2026 before the competent departmental authorities. Mere calling of a serving officer by his departmental superiors for verification of allegations or for purposes of an inquiry does not, by itself, furnish a cause for constitutional interference, particularly when no final adverse action affecting any legally enforceable right has been shown to have been taken. The departmental hierarchy must ordinarily be allowed to examine and deal with such matters in accordance with law without premature judicial intervention.

5. Likewise, insofar as the petitioner seeks a direction for holding an inquiry and initiation of criminal proceedings against the private respondents, the remedies provided under the law remain available to him. Constitutional jurisdiction cannot ordinarily be employed for procuring a direction requiring the departmental authorities to initiate criminal proceedings against particular persons merely on the basis of allegations made by a serving officer against them.

6. There is also a larger institutional consideration which cannot be overlooked. Constitutional jurisdiction cannot be permitted to develop into a parallel forum for resolution of routine administrative or departmental grievances of public servants. Public departments function through an established hierarchy, with authority and responsibility distributed amongst designated officers precisely for dealing with matters of internal administration, supervision, discipline and performance of official duties. A public servant aggrieved in relation to such matters is ordinarily expected to first invoke and exhaust the appropriate departmental or statutory mechanism rather than seek directions from a Constitutional Court

as to how his departmental superiors should exercise functions entrusted to them by law.

7. If serving employees are permitted, as a matter of course, to bypass such mechanisms and directly invoke Article 199 of the Constitution for directions requiring their own departmental authorities to perform, refrain from performing, or regulate functions otherwise entrusted to them, virtually every administrative grievance would become susceptible to constitutional litigation. Apart from unnecessarily burdening the constitutional docket, such a course would draw this Court into the day-to-day administration of public departments and may dilute the authority, responsibility and discipline of the institutional hierarchy constituted for that very purpose. The extraordinary constitutional jurisdiction of this Court is neither intended to substitute such mechanisms nor to provide an additional forum for routine departmental grievances.

8. Petitions of this nature, therefore, ought not ordinarily to be entertained merely because a public servant is dissatisfied with the manner in which an administrative or departmental matter is being dealt with. This, however, does not mean that the doors of constitutional jurisdiction are closed to a public servant. Where an action is shown to be without lawful authority or jurisdiction, tainted by legally established mala fides, violative of a fundamental or legally enforceable right, or where circumstances otherwise warrant exercise of constitutional jurisdiction in the absence of an adequate remedy, this Court may undoubtedly intervene in an appropriate case. No such exceptional circumstance, however, has been demonstrated in the present matter.

9. In view of the foregoing, no case for interference in exercise of constitutional jurisdiction is made out. The petitioner may pursue his grievance, if any, before the competent departmental/statutory authority or avail such other remedy as may be available to him under the law. The instant petition is, accordingly, dismissed, along with the pending application(s), if any.

JUDGE

JUDGE
HEAD OF CONST. BENCHES