

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
C.P. No. D-72 of 2026  
[Shakeela & others v. Federation of Pakistan & others]

Date	Order with signature of Judge(s)
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Before:  
Mr. Justice Adnan-ul-Karim Memon  
Mr. Justice Zulfiqar Ali Sangi

**Date of hearing and Order: 18.03.2026**

Mr. Abdul Latif Laghari advocate for the petitioners  
Ms. Wajiha Mehdi, Assistant Attorney General  
Mr. Abdul Samad, Law Officer NADRA

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**ORDER**

**Adnan-ul-Karim Memon, J.** – Petitioners have filed this Constitution Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan 1973, seeking the following relief:-

- i) *To pass the directives to the respondents to ensure to deliver the CNIC of Petitioner No.1 to produce the same before this Court and deliver;*
- ii) *To pass directives to respondents to make the CNIC of petitioner No.2 so also to direct to make the Form B of petitioner No.3 Accordingly.*

2. Learned counsel for the Petitioners submitted that petitioners are citizens of this Country, belonging to the Dasti Balouch family and tribe, and firmly believe in the rule of law and supremacy of the Constitution. It was argued that Petitioner No.1 applied for her CNIC at the concerned NADRA office and paid the requisite fee, but despite repeated appearances, the authorities withheld her CNIC without providing any reason. Similarly, Petitioner No.2, the real brother of Petitioner No.1, applied for his CNIC and Form-B, but NADRA officials also refused to issue these documents without explanation, despite his repeated visits. He added that Petitioner No.3, the younger sibling, applied for Form-B, which was also refused for unknown reasons, despite repeated attempts at the NADRA office. He emphasized that all three Petitioners are children of the deceased father, Saleem (CNIC No. 45206-4295942-5) and mother Koh-e-Noor, and proper documentary evidence including parents' CNICs, death certificates, and the Petitioners' birth certificates have been provided however nothing has been done yet. Counsel submitted that the Petitioners have no other effective remedy available under law except the instant writ petition. He prayed to allow this petition.

3. Learned counsel for the Respondent NADRA without filling comments submits that the contentions raised by the Petitioners are misconceived and factually incorrect. It is denied that the Petitioners have been arbitrarily or unlawfully denied their CNICs or Form-Bs. It is submitted that issuance of CNICs

and Form-Bs is governed by the NADRA Ordinance, Rules, and standard operating procedures, which require verification of personal and familial data, including parentage and documentation. Any delay in issuance is purely administrative and procedural, arising from discrepancies or incomplete verification in the records, and not on arbitrary or unlawful grounds. Learned counsel further submits that Petitioner No.1's CNIC application, as well as Petitioner No.2 and No.3's applications, are currently under due process of verification for which the petitioners are required to put appearance for the aforesaid purpose at the relevant branch. However, NADRA officials have not withheld the documents deliberately; rather, verification is necessary to ensure accuracy of national identity records, which is mandatory under the law. It is also submitted that NADRA has acted in accordance with law and procedures, and the Petitioners were or will be duly informed of any deficiencies or requirements to complete the issuance process. Any claim that CNICs or Form-Bs have been "withheld for unknown reasons" is therefore factually incorrect. Learned counsel further submits that the Petitioners have alternative remedies available under the NADRA Act and Rules, including re-submission of documents, grievance redressal mechanisms, and appeals to higher NADRA authorities. Therefore, the claim that no efficacious remedy exists is denied. In view of the above, it is prayed that this petition is liable to be dismissed, or in the alternative, the Petitioners to complete procedural or documentary requirements necessary for issuance of their CNICs/Form-Bs as per law, if they appear before the relevant branch.

4. Learned counsel for the Petitioners refuted the stance of the Respondent NADRA and argued that the Petitioners have repeatedly appeared at the relevant NADRA office, submitted all requisite documents, including parents' CNICs, death certificates, and birth certificates (Annexures B-G), and deposited the prescribed fee. Despite this, the Petitioners' applications have not been processed, nor have any reasons or deficiencies been communicated to them. Learned counsel submits that NADRA's assertion of "pending verification" is vague and unsubstantiated. There is no record provided to show that any procedural deficiency exists or that Petitioners were required to appear further. The Petitioners have complied in full with all legal and documentary requirements, and any further delay or refusal amounts to arbitrary and unlawful action, contrary to the mandate of the Constitution and NADRA Ordinance. It is further submitted that the Respondent's claim that alternative remedies exist under the NADRA Act or grievance mechanisms is irrelevant. The Petitioners have already exhausted all possible avenues, including repeated visits and submissions, yet the documents remain withheld without explanation. Hence, the instant writ petition is the only efficacious remedy available to protect their fundamental right to identity under the Constitution.

5. We have heard the learned counsel for the parties and perused the record with their assistance.

6. It is well-settled that a CNIC is not a mere bureaucratic document but a basic right and essential necessity for an individual to enjoy constitutional rights such as access to services, employment, banking, education, and freedom of movement. The Supreme Court of Pakistan has recently held that deprivation of a citizen's national identity card amounts to depriving a fundamental right and cannot be done without clear legal authority since it is indispensable for leading an ordinary life.

7. Moreover, the Courts have recognized that NADRA cannot withhold or deny issuance of CNICs arbitrarily or without due process and that any action affecting identity rights must be justified with clear evidence of eligibility issues something not shown in the present case. It is well settled that withholding issuance of a CNIC without concrete evidence of fraud or ineligibility is impermissible and contrary to the right to identity; the authority must substantiate any adverse action taken.

8. The Constitution protects citizens against unlawful discrimination and guarantees the right to life and dignity, which include the right to a lawful identity and nationality. Denying or unjustifiably delaying a CNIC without specific lawful grounds causes irreparable harm and impacts fundamental rights a position reinforced by judicial decisions holding that arbitrary administrative action in the issuance or withholding of CNICs violates constitutional protections.

9. In the present case, the Respondent has failed to demonstrate any lawful basis or documented deficiency justifying refusal or delay in issuance. Mere reference to "verification" without any specific discrepancies communicated to the Petitioners does not constitute lawful justification under the NADRA Ordinance, Rules, or SOPs.

10. In view of settled legal principles and judicial precedents protecting identity rights, this petition is disposed of with directions that the Petitioners' cases shall be processed within two weeks. The Petitioners shall appear before the concerned NADRA branch to complete the required formalities, and arbitrary denial of CNICs or other documents shall not be tolerated, subject to lawful exceptions.

JUDGE

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