

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Constitution Petition No. S-1243 of 2025
[*Muhammad Rashid and another v. Muhammad Moin*]

Date:

Order with Signature of Judge

1. For hearing of CMA No. 2753/2026
2. For hearing of CMA No. 7842/2025
3. for hearing of main case

21.04.2026

Mr. Saalim Salam Ansari Advocate for Petitioner
Mr. Shariq Mubashir, Assistant Advocate General

1. As an offshoot of the main petition, between the same parties in the same proceedings and the same dispute, this application (CMA No. 2753/2026) has been filed by the petitioner against the order dated 06.10.2025 passed by the learned XIIth Senior Civil Judge, Karachi (South) whereby the computerised National Identity Card [**CNIC**] of the petitioner was ordered to be blocked by the learned executing Court.

2. On the last date of hearing, notice of the said application was waived, and a copy received, by learned counsel for Respondent No.1. Today, no one is in attendance on behalf of the Respondents.

3. Learned counsel for the petitioner challenges the above Order on the grounds of unconstitutionality, illegality and absence of any statutory backing. Further pleads extreme urgency on the premise of infringement of the petitioner's fundamental rights due to CNIC blockade.

4. The issue has already been discussed on several occasions by the superior Courts of Pakistan. The Honourable Supreme Court in **Agha Abid Majeed's case**¹ has held that no provision exists in the Civil Procedure Code 1908, (as

applicable in the Province of Sindh) for blocking of CNIC of a Judgment Debtor for implementation of a Decree.

5. In the cases of **Abbu Hashim**, **Muhammad Umar** and **Syed Hasamuddin**², the Courts have discouraged routine blocking of CNIC, even under section 18 of the NADRA Ordinance 2000.

6. In **Hafiz Awais Zafar's case**³ such an act was declared, as infringing the fundamental rights of a citizen [Article 8 to 28], including the rights to identity, Life, and security under Articles 9 and 14 of the Constitution of Pakistan, and being derogatory to the Universal Declaration of Human Rights.

7. In **Askari Commercial Bank Ltd.**⁴ and **Hafiz Hamdullah Saboor**⁵ the consequences of suspension or blocking of CNIC were recorded, as virtually halting the life of the affected person, and denial of exercise of his fundamental rights to education, health, employment, trade, business or profession, denial of access to bank accounts and adversely affecting his family members as well.

8. In the cases of ***Zafar Hasan Khan***⁶, ***Abdul Basit Zahid***⁷ and ***Precision Engineering Ltd.***⁸ it was observed that even a warrant of arrest could not be issued routinely under section 51 of the Civil Procedure Code [CPC] without fulfilling certain mandatory prerequisites. It was also observed that the implications of blocking a citizen's CNIC are more severe than the issuance of a warrant of arrest under Section 51 C.P.C.

1. '*Agha Abid Majeed v. Idrees Ahmad and others*' Order dated 19.09.2024 in unreported Civil Petition No. 3744/2023

2. '*Abbu Hashim and another v. Federation of Pakistan through Secretary, Ministry of Interior and 2 others*' (PLD 2021 Sindh 492) '*Muhammad Umar v. Federation of Pakistan, through Secretary, Ministry of Interior, Islamabad and 2 others*' (PLD 2017 Sindh 585); '*Syed Hasamuddin v. Federation of Pakistan*' (2018 MLD 1748).

3. '*Hafiz Awais Zafar v. Judge Family Court*' (PLD 2022 Lahore 756)

4. '*Askari Commercial Bank Ltd. vs. A.H. International (Pvt.) Limited*' unreported Order dated 23.09.2025 in Banking Execution Application No.25 of 2012.

5. *'Hafiz Hamdullah Saboor v. Government of Pakistan through Secretary Ministry of Interior, Islamabad and 2 others'* (PLD 2021 Islamabad 3056), *'Zafar Hasan Khan and 2 Others V. Habib Bank Limited'* (2024 CLC 1068).
7. *'Abdul Basit Zahid and another V. Modaraba Al-Tijarah and another'* (2002 CLD 46)
8. *'Precision Engineering Ltd. and others v. The Grays Leasing Limited'* (PLD 2000 Lahore 290).

9. Lastly, in **Khurram Iftikhar's case**⁹ the act of CNIC blocking was also found devoid of any provision, even under the Criminal Procedure Code [**Cr.PC.**].

10. Applying the above principles to the facts of the instant case, the Order dated 06.10.2025 passed in Execution Application No.06/2024 for recovery of financial liability does not align with the principles settled in the above-referred cases, is violative of the fundamental rights of the petitioner. The said Order is therefore set aside, and the CNIC of the petitioner is ordered to be restored. Office is directed to send copies of this Order to the learned Executing Court and the concerned NADRA authorities for effective and immediate implementation.

J U D G E

9. Order dated 15.05.2024 in unreported case of *'Khurram Iftikhar v. Province of Sindh and others'* in CP.No.D-269/2024.