

**IN THE HIGH COURT OF SINDH, KARACHI**  
**C. P. NO. D-5215 / 2026**  
**(Ayub Khaskheli Vs. Federation of Pakistan & Others)**

**Present:**

Mr. Justice Adnan-ul-Karim Memon  
Mr. Justice Muhammad Jaffer Raza

**Date of hearing and order:- 28.08.2026.**

Mr. Muhammad Nadeem Khan, Advocate for Petitioner.  
Mr. Ali Safdar Deepar, Assistant Advocate General Sindh.  
Mr. Furkan Ali, Advocate for Respondent No. 3 (K-Electric).  
Mr. Syed Haider Hassan Shah, Manager Cooperation, K-Electric.

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**Adnan-ul-Karim Memon, J.** Petitioner Ayub Khaskheli has filed this Petition under Article 199 of the Constitution of Islamic Republic of Pakistan seeking the following reliefs: -

- “i.        *To declare that the impugned installation of high-voltage transmission power in the petitioner's locality, i.e. Haji Soomar Ismail Goth, Malir, Karachi, is illegal, void and unconstitutional and can be hazardous to the locality.*
- ii.       *To direct the respondents to immediately suspend all ongoing construction activity over the said Haji Soomar Ismail Goth, Malir, Karachi.*
- iii.      *To direct the respondents to conduct an independent Environmental Impact Assessment (EIA) through a neutral expert.”*

2.        The petitioner has filed the instant Constitutional Petition under Article 199 of the Constitution, challenging the installation of 220-KV to 500-KV high-voltage transmission infrastructure in/near Haji Soomar Ismail Goth, Malir, Karachi. He contends that the locality is an established residential area and that the ongoing installation, being in proximity to residential houses and allegedly within the Thado River, poses serious risks to the lives, health, safety and property of the residents. The petitioner further alleges that the respondents commenced the project without providing an opportunity of hearing to the inhabitants and without complying with mandatory environmental requirements, including public participation and precautionary measures. He asserts that the installation may expose residents to hazardous electromagnetic fields and other long-term health and environmental risks. Claiming infringement of fundamental rights guaranteed under Articles 2-A, 4, 8, 14, 23, 24, 25 and 27 of the Constitution, and having no adequate alternate remedy, the petitioner has approached this Court seeking a declaration that the impugned installation is illegal, void and unconstitutional, suspension of the ongoing construction, and an independent Environmental Impact Assessment (EIA) by a neutral expert.

3. At the very outset, learned Counsel appearing for Respondent No. 3 (K-Electric) submits that a similar petition bearing C. P. No. D-2998/2026 has also been decided by this Court whereby directions were issued to the NEPRA as competent authority to decide the complaint of the petitioner within one month and the case of the petitioner is akin therefore, this matter may also be referred to the NEPRA for decision of the complaint of the petitioner to be decided within one month's time.

4. When confronted with this legal position of the case, the petitioner's counsel agreed for disposal of this petition by moving fresh complaint to the NEPRA for decision within one month.

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

6. In view of the submissions made by learned Counsel for Respondent No.3/K-Electric and the fact that an identical issue has already been considered by this Court in C.P. No. D-2998 of 2026, wherein the petitioner was directed to approach the National Electric Power Regulatory Authority (NEPRA), the competent regulatory forum, for redressal of his grievance, the present petition is also required to be appropriately dealt with in the same manner.

7. Since the controversy primarily relates to the installation and regulation of high-voltage transmission infrastructure, NEPRA is competent authority to examine the petitioner's complaint, if he files, in accordance with law, including the applicable regulatory and safety requirements.

8. Accordingly, without expressing any opinion on the merits of the allegations, the petitioner's case is relegated to the competent forum by filing proper complaint as per law on the subject issue within one week and the competent authority of NEPRA, shall consider the subject complaint, if filed in time, and decide his complaint, after affording him an opportunity of hearing, strictly in accordance with law, preferably within one month from the receipt of the complaint.

9. Accordingly, the instant Constitutional Petition stands disposed of in the above terms.

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