

**IN THE HIGH COURT OF SINDH AT KARACHI**

**M.A. No. 30 of 2022**

(Syed Kamran Qadeer Zaidi vs. Etihad Airway & others)

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| Date | Order with Signature of Judge |
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For hearing of main case.

**07.08.2026**

Appellant Syed Kamran Qadeer Zaidi, present in person.  
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**Saman Rafat Imtiaz J;** Through the instant Miscellaneous Appeal, the Appellant has prayed for setting aside of the impugned Order dated 24.03.2022, whereby Consumer Complaint No. 09/2022 of the Appellant has been dismissed by Consumer Protection Court, Malir, Karachi and for remand of the matter to the learned Consumer Protection Court, Malir, Karachi to decide the Complaint of Appellant on merits.

2. The brief facts of the case, as per the memo of appeal, are that the Appellant is a U.K Tire-1 (General) Visa Holder known as Highly Skilled Migration Program. The Appellant is a highly qualified and educated person working in a leading Multinational Telecom Company as Senior Officer and having good reputation in the general public. The visa of Appellant was valid till 26-03-2015 and the Appellant was planning to arrive in U.K on 26-03-2015 by taking Etihad Air Flight No. EY-201 on 25-03-2015. The Appellant also applied for extension in accordance with UK Immigration rules through post. As per rule the visa extension is possible once the applicant applies for extension of visa application made within UK borders. The Appellant was offloaded from the flight without any valid reason and was detained. The Appellant was stopped from travelling to the UK by the Immigration officer and Etihad Airways at Jinnah International Airport, Karachi and was subsequently provided off-loading certificate issued by the Etihad Airline despite the fact that the Appellant's visa was valid. The Appellant submitted the emails / Complaints to various



authorities including the Federal Ombudsman as initially directed by the Etihad Air Offloading Certificate as well as UK Immigration /UKV&I, but in response to the Complaint all such authorities diverted their liabilities to other authorities. The Appellant received email / phone call from the office of the Respondent No. 2 that the Appellant may join the investigation of the said incident. After such proceedings the Appellant faced the medical / mental torture, service issues/ dismissal from service, as well as Father of Appellant also died, hence the Appellant could not avail his remedy before the Court of Law for his compensation. The matter of Appellant was also referred to the FIA by the Wafaqi Ombudsman for investigation but the FIA did not investigate properly and on the Investigation Report of FIA, the Complaint was closed by the Wafaqi Ombudsman with observation that the parties shall avail their remedy before the proper forum which is a Court of Competent jurisdiction. Thereafter, Consumer Complaint No.09 of 2022 was filed before the Consumer Protection Court for compensation wherein Respondents filed counter affidavit and subsequently the Complaint was dismissed on account of limitation vide the impugned order dated 24.03.2022, hence the instant appeal.

3. Vide the Impugned Order the Consumer Protection Court, Malir, Karachi has dismissed the complaint filed by the Appellant by finding the complaint time-barred as the time period provided filing of complaint before the Consumer Court is thirty days which can be extended to one year if sufficient cause is shown by the complainant for the delay, whereas, in the instant case there was delay of seven years in filing the complaint.

4. The Appellant appears in person and submits that the Consumer Court erred in passing the impugned order by not condoning the delay in filing the complaint despite the fact that the delay, if any, occurred due to negligence of the counsel engaged by the Appellant. However, neither the name of such counsel is available nor any other proof that he was





authorized to file the complaint before the Consumer Protection Court. Even otherwise, it is settled law that negligence of a counsel is not sufficient cause to condone the delay as it is the party who is required to diligently pursue the proceedings and avail of all remedies under the law within the limitation period provided. In the instant case, the alleged cause of action occurred on 26.03.2015, whereas, complaint filed under the Sindh Consumer Protection Act, 2014 was instituted in the year 2022.

4. In view of the foregoing, I see no error or infirmity in the impugned order, which, therefore, does not warrant interference. The instant Appeal is, therefore, dismissed in *limine*.



JUDGE

Ayaz