

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

*Constitutional Petition No. D – 946 of 2025.*  
*(Shakeel Ahmed Mirani vs Federation of Pakistan and others)*

*Constitutional Petition No. D – 821 of 2026.*  
*(Junaid Raza vs Federation of Pakistan and others)*

<b>Date of hearing</b>	<b>Order with signature(s) of Judge(s)</b>
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**Hearing of the case (Priority)**

1. For orders on office objection at flag 'A'
2. For hearing of CMA No.4033/2025 (S/A)
3. For the hearing of the main case

**20.05.2026.**

Mr. Amir Ali Bhutto, Advocate for Petitioner in C.P No.D-946 of 2025.

Mr. Imtiaz Ali Abbasi, Advocate for Petitioner in C.P No. D-821 of 2026

Mr. Ali Gul Abbasi, Advocate for the Intervenors / Respondents / Sukkur Municipal Corporation in C.P No. D-946 of 2025

Mr. Ashfaque Hussain Abro, Assistant Attorney General.

Mr. Irshad Hussain Dharejo, Advocate for the Respondents/SEPCO, Aijaz Ahmed Channa, Chief Executive Officer (SEPCO), Sukkur, Deepak Kumar, Director General (HR), Abdul Haq Siyal, Superintendent Engineer (SEPCO), Sukkur, Kashif Gulzar, Superintendent Engineer (SEPCO), Ghotki and XEN Rohri, Abdul Sattar Mangrio, Manager (Legal), Muhammad Suleman Dahri, Assistant Manager, (Legal), Khalil Ahmed Chandio, XEN, SEPCO, Sukkur, Nawaz Sharif, Sub-Divisional Officer (SEPCO), Society, Sukkur, are present.

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Since common questions of law and facts are involved in both the petitions, the same are being taken up together for the sake of convenience

The grievance of the petitioners in both the constitutional petitions primarily revolves around the alleged excesses and unlawful practices being adopted by the respondents-SEPCO against the consumers at large. It has been asserted that instead of

proceeding individually against actual defaulters in accordance with law, the respondents-SEPCO have adopted a coercive practice whereby the entire infrastructure, including transformers and 11-KV transmission wires, is removed from the locality, thereby depriving the whole community of electricity. It has further been alleged that the respondents-SEPCO also recover amounts from local inhabitants for repair and maintenance of transformers, despite the same being part of their obligations. The petitioners further complain that during peak summer season, prolonged and excessive load shedding is carried out, particularly when transformers become defective or overloaded, causing severe hardship to the residents.

Learned counsel for the petitioners in C.P. No.D-946 of 2025 has invited the attention of this Court to the comments filed by the respondents-SEPCO, wherein, according to him, the respondents have themselves admitted in paragraphs 7-8 at page 5 and paragraphs 10-12 at page 7 that they resort to removal of infrastructure owing to recovery issues and alleged defaults.

Similarly, learned counsel appearing for the petitioners in C.P. No.D-821 of 2026 contended that it has become a consistent practice of the respondents-SEPCO to impose detection bills during particular seasons merely to recover their alleged losses, which practice is wholly illegal and contrary to the governing law and regulatory framework. In support of his contention, he placed reliance upon an inquiry report conducted by officers of NEPRA, wherein recommendations were made directing SEPCO to scrutinize each unrecoverable detection bill and, in cases where such bills were found to have been wrongly imposed, the same were required to be reversed in favour of the consumers. Learned counsel further argued that no meaningful scrutiny has been undertaken by the respondents-SEPCO and, in fact, the subordinate officials, including SDOs and XENs, are themselves responsible for the prevailing illegal practices and maladministration.

Conversely, learned counsel appearing on behalf of the respondents-SEPCO contended that no practice of removal of infrastructure has been adopted and that, at the most, the electricity connections were merely disconnected. However, during the course of arguments, he is unable to satisfy this Court by pointing out any provision, policy, or regulatory framework authorizing the respondents-SEPCO to remove basic electricity infrastructure affecting an entire locality on account of alleged default by some consumers.

Learned counsel appearing on behalf of the applicant, namely Sukkur Municipal Corporation (SMC), through an application under Order I Rule 10 C.P.C., submitted that even the SMC has suffered serious hardship on account of the actions of SEPCO, as water supply schemes, pumping machines and municipal water connections have been adversely affected due to removal/disconnection of electricity infrastructure, despite the fact that no notice was ever issued to the SMC and it was not at fault.

On the other hand, learned Assistant Attorney General fairly conceded that such practices are not supported by law. He further submitted that the Chief Executive Officer (CEO) of SEPCO, who is present in Court, is willing to conduct a detailed inquiry into the matter and take action against the responsible officials, /officers, if any illegal or coercive methods have been adopted. It is also proposed that a committee under the supervision of the CEO be constituted to examine the legality of such actions and to identify the officers involved therein.

At this juncture, it would be advantageous to refer to the dictum laid down by the Honourable Supreme Court of Pakistan in the case of **OGRA through Secretary v. MIDWAY II CNG Station, 2014 SCMR 220**, wherein it was observed that Article 38 of the Constitution commands the State to secure the well-being of the people by raising their standard of living, and that without energy there can be no progress or development. Likewise, in the cases of

**Alleged Corruption in Rental Power Plants: In the matter of 2012 SCMR 773 and Shehla Zia v. Federation of Pakistan PLD 1994 SC 694**, it was recognized that access to electricity and a healthy environment fall within the ambit of the fundamental right to life guaranteed under Article 9 of the Constitution of the Islamic Republic of Pakistan, 1973.

Prima facie, it appears that removal of basic electricity infrastructure, including transformers and transmission lines, from entire localities, and the imposition of recovery or detection charges beyond lawful authority, are matters requiring serious consideration. Electricity, in the modern era, is one of the necessities of life, and its arbitrary deprivation affects not only domestic consumers but also essential civic functions, including water supply and municipal services.

Accordingly, on the assurance extended by the learned Assistant Attorney General as well as the Chief Executive Officer (CEO) of SEPCO, who is present before this Court, a final opportunity is hereby granted to the principal officer of SEPCO to rectify the issues involved and ensure remedial measures in accordance with law. Consequently, the CEO, SEPCO, is directed to conduct a comprehensive inquiry regarding:

**(i) the removal of transformers and other electricity infrastructure from localities;**

**(ii) the collection of amounts from inhabitants towards the repair and maintenance of transformers;**

**(iii) the issuance of allegedly illegal detection bills; and**

**(iv) the role of concerned SDOs, XENs and other officials /officers, involved in such practices.**

The CEO, SEPCO, shall submit a detailed report before this Court specifically identifying the officers responsible, the legal authority under which such actions were taken, and the measures proposed to prevent recurrence of such unlawful practices.

It is further directed that the practice of removing electricity infrastructure from localities is strictly prohibited. While carrying out load shedding, the CEO-SEPCO is further directed to strictly adhere to the prescribed policy, schedule, and regulatory parameters. Unscheduled and excessive load shedding, beyond the permissible limits prescribed under the relevant policy and law, is strictly prohibited. In case any official or officer is found involved in illegal or coercive acts, appropriate disciplinary as well as penal proceedings shall be initiated against such officials or officers in accordance with law.

The CEO, SEPCO, is further directed to immediately restore electricity supply to non-defaulting consumers and to ensure that an entire locality or area is not deprived of electricity merely on account of the alleged default committed by a few consumers.

The office is directed to tag both the petitions together.

Relist on 24.06.2026.

**JUDGE**

**JUDGE**