

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-6128 of 2026

Date	Order with signature of Judge
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- 1.For hearing of CMA No.24315/2026
- 2.For hearing of main case

27.10.2026

M/s. Munir A. Malik, Neha Makhdoom & Manahil, Advocates for Petitioner.

M/s. Jahanzaib Awan & Shahan Karimi, Advocates for SECP

Mr. Imran Shamsi, Law Officer, SECP.

Ms. Mehreen Ibrahim, DAG.

The petitioner has apparently been issued a Show Cause Notice dated 22.04.2026 by the SECP under Section 257 of the Companies Act, 2017 to which it replied on 12.05.2026, following by an email dated 15.06.2026 available at page 845 (annexure J-1) of the Court file, raising certain preliminary objections, summarized as below:-

i. Action under section 257 of the 2017 Act may only be taken by the SECP on the basis of the complaint, provided that the complainant meets the threshold provided in Section 256. It is apparent that the Show Cause Notice has been issued pursuant to a complaint purportedly filed by Dr. Salim Habib. He is not a member nor a creditor of the Salim Habib Education Foundation ("SHEF"). Accordingly, it is submitted that any proceedings under section 257 on the basis of such complaints is unlawful;

ii. SECP is only empowered to issue a show cause notice under section 257 of the 2017 Act after it has formed an independent opinion that the company has violated the grounds mentioned in section 257(b). It in this regard, we rely on the judgements reported as 2022 CLD 285 and 2022 CLD 468, which were provided during the hearing on 8 June 2026. It is a matter of record that SECP has not formed any such opinion, and therefore, it is submitted the Show Cause Notice has been unlawfully issued;

iii. We reiterate that Mr. Waleed Siddiqui is not a lawfully authorized attorney of Dr. Salim Habib. This has been repeatedly raised by SHEF in its earlier replies to SECP.

Learned counsel appearing today on behalf of the Petitioner and SECP respectively are *ad-idem* that the preliminary objections ought to firstly be decided through a speaking order, after hearing the Petitioner prior to the proceedings emanating from the Show Cause Notice being advanced further. By consent, so ordered. At this juncture, learned counsel for the SECP has elicited an observation that this Order would not serve as a precedent in future. Needless to say, an Order made by consent, laying down no principle of law as such, has no precedential values *per se*. The petition stands disposed of in the foregoing terms.

JUDGE

JUDGE

Aadil Arab