

IN THE HIGH COURT OF SINDH AT KARACHI

CP D 7364 OF 2018

Present: **Muhammad Ali Mazhar** and **Agha Faisal, JJ.**

Saleem Akhtar Qureshi
vs.
Federation of Pakistan & Others

For the Petitioner: Appearing in person

Date of Hearing: 08.11.2018.

Date of Announcement: 08.11.2018

JUDGMENT

Agha Faisal, J: The present petition was filed seeking a declaration that the Simla Agreement was executed under coercion / duress by Pakistan. It was also prayed that a direction be given to the Federation to *do away* with the Simla Agreement.

2. The matter was first heard by this Court on 22.10.2018 and the question of maintainability was raised thereat. The petitioner sought time to address the Court on the issue of maintainability and it was for such purpose that the matter was listed today. The petitioner was unable to substantiate the maintainability of this petition and also failed to demonstrate any the existence of determinants to merit the invocation of jurisdiction by this Court within the ambit of Article 199 of the Constitution.

3. It is apparent from the record that the present petition is unfounded and frivolous. The perpetuation of frivolous litigation was deprecated by honorable Supreme Court in the case of *Dr. Akhtar Hassan Khan vs. Federation of Pakistan* reported as 2012 SCMR 455 and it was held that

the Court had to guard against frivolous petitions as it is a matter of common observation that in the garb of public interest litigation, matters are brought before the Court which are neither of public importance nor relatable to enforcement of a fundamental right or public duty.

4. In view of the foregoing this petition is determined to be misconceived, not maintainable and even otherwise devoid of merit, hence, dismissed with no order as to costs.

JUDGE

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