

ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

Before:

Mr. Justice Ahmed Ali M. Shaikh, CJ

Mr. Justice Yousuf Ali Sayeed

CP No.D-5516 of 2021

Fresh Case

1. For orders on CMA No.23117/2019 (urgent)
2. For orders on office objection No.3
3. For orders on Misc. No.23118/2021 (exemption)
4. For orders on Misc. No.23119/2021 (stay)
5. For hearing of main case

14.09.2021

Petitioner present in person

AHMED ALI M. SHAIKH, CJ.- Through these proceedings, Petitioner, a practising Advocate of this Court, has invoked the Constitutional Jurisdiction under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, inter alia, seeking to restrain the official Respondents from proceeding with the drive to inoculate Citizens with vaccination developed against Covid-19, and the measures put in place to prompt public participation.

Petitioner submits that there are significant life threatening effects of the Covid-19 vaccines being administered to the public at large. According to him, the said vaccines could reduce life span, impair immunity, induce brain haemorrhage and cardiac related problems, etc. He has taken us through a number of research opinions rendered by different scientists, doctors, virologists, etc to conclude that the Covid-19 vaccines are dangerous to human health, could render the children infertile and break RNA bonds, and in future transplantation of human organs, bone marrow/plasma donation will not be possible. He emphasized that the very process of vaccination followed in the Country is against cannons of Islam, the law of nature and an international conspiracy against our nation.

Heard the Petitioner and perused the content of the petition that incorporated opinions of different doctors, virologist, scientist, etc. Subject matter of the petition viz. imposition of condition of vaccination

for domestic and international travelling, etc. has already been raised in CP No.D-4604 of 2021 and was adjudicated upon by a learned Division Bench of this Court vide order dated 30.07.2021, the relevant excerpt whereof is reproduced hereunder for ready reference:-

“It is not only the petitioner for whom the respondents, including federal and provincial governments, have taken this decision but in fact the respondents in pursuit of their responsibilities to take care of the health of entire nation, have issued numerous notifications, circulars to curb the virus spread. Petitioner, instead of being supportive, is being troublesome in the smooth operation of effective measures undertaken by government. The government is primarily responsible to take care of health of 220 million citizens of Pakistan and hence the desire of one person being petitioner cannot supersede the demand of ever-growing spread of pandemic Covid-19. The Sindh has already taken steps and are monitoring it periodically under the umbrella of Sindh Epidemic Diseases Act, 2014. Section 3 of ibid Act enables the government to take strict measures as they deem fit and proper in case the provincial government feels the necessity of enforcing prescribed measures to curb the threatened situation.

This Covid-19 is exceeding and spreading for a number of reasons that it is new virus meaning that no one has immunity for this virus. It is highly contagious, meaning it spreads fast. Its novelty meaning scientists are still not completely sure as to how it behaves since it is changing its form and producing different variants and since they have a very limited history to go on. It is being reported worldwide that Covid-19 will have its short medium and long term effects for general population, health care workers, patients and other citizens. As our general responsibility we need to think ahead of ourselves and think beyond the stop being selfish, not only for our survival but for the survival of our population. The only way is to support the health care system.”

We, being in agreement with the above observations made in aforementioned Petition, do not find any merit in the instant petition. Thus, while granting the misc. application seeking urgent hearing in the matter, the petition is dismissed in limine alongwith the remaining applications.

Chief Justice

Judge