

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
C. P. No.D-1225 of 2024

<i>Date</i>	<i>Order with signature of Judge</i>
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PRESENT:

*Mr. Justice Aqeel Ahmed Abbasi, CJ*  
*Mr. Justice Abdul Mobeen Lakho, J*

***M/s. Samina & Moazzam Overseas....Vs.....Federation of Pakistan & others***

**06-05-2024:**

Mr.Muhammad Arif, Advocate for the Petitioner.  
Mr. Khaleeq Ahmed, DAG.  
Syed Arbab Shah, Assistant Director, Protectorate of  
Emigrant, Karachi, is present.

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1. Through instant petition, the petitioner has expressed his grievance against notices issued by respondents No.2 to 4 on the complaint of private respondents No.6 & 7, which according to petitioner, contains false and frivolous allegations, hence amounts to harassment, whereas, following relief has been sought:-

- “a) To direct the respondents No.2 to 4 not to make the harassment to the petitioner and not to involve the petitioner in any false criminal case illegally & unlawfully on the influence of respondents No.5 to 7 by misusing their official powers.
- b) To restrain the respondents No.2 to 4 from taking any coercive action against the petitioner, from blacklisting & from suspending the license of the petitioner with the collusion of respondent No.5 to 7 by misusing their official powers illegally & unlawfully, without due process of law.”

2. On 11.03.2024, when the matter was fixed in Court, contention of the learned counsel was recorded and Notice to respondents were issued on the following terms:-

**“ Through instant Constitutional Petition, the petitioners have expressed their grievance against unauthorized and baseless inquiry/investigation being conducted against them, who are being summoned at Islamabad for the purpose of inquiry, however, inspite of having explained their position twice, they are still being harassed. Learned counsel for the petitioners submits that on the basis of false and frivolous purported complaint, which otherwise does not contain any valid ground to invoke the jurisdiction of FIA authorities, under which the petitioners are operating their business and they are being harassed. Learned counsel for the petitioners further submits that since the petitioners are operating their business activity in Karachi and the Regional Office of FIA is also situated at Karachi, therefore, instead of summoning the petitioners to Islamabad again and again for such purpose, which causes serious inconvenience and involves financial implication, the respondents may be directed to transfer inquiry to Regional Office at Karachi, if there is some material and may be further directed to conduct themselves strictly in accordance with law and not to take any coercive action against the petitioner, including cancellation of their valid license, unless there is some concrete material and/or evidence available with the FIA against petitioners.**

**Let pre-admission notice be issued to the respondents as well as to the Deputy Attorney General, to be served through first three modes, for 26.03.2024, when comments/reply, if any, shall be filed with advance copy to the learned counsel for petitioners. In the meanwhile, respondents are directed to conduct themselves strictly in accordance with law and to ensure that if their personal presence is required, they may be summoned to Regional Office at Karachi to avoid inconvenience and financial implication, whereas, the materials, if any as may be required, shall be obtained in writing from the petitioners, who may cooperate with the inquiry/proceedings in accordance with law.”**

Today, Assistant Director, Protectorate of Emigrant, Karachi, has shown appearance and has denied the allegation of harassment to petitioner and submitted that pursuant to a complaint received in the office of respondents No.2 & 3, notices have been issued to verify the allegations.

3. After hearing the learned counsel for petitioner as well as learned DAG, at some length, it appears that the Respondent No.2 on a complaint filed against the petitioner conducted an inquiry while summoning the petitioner to Islamabad, however, instead of concluding the proceedings, petitioner has been summoned again at Islamabad office in respect of same inquiry, therefore, petitioner has filed instant petition, while stating that in respect of same inquiry and summoning the petitioner at Islamabad for such purposes amounts to harassment and abuse of authority and also results in serious inconvenience and financial losses to petitioner.

4. Keeping in view the facts and circumstances of the case, we are disposing of instant petition with the directions to the respondents to conduct themselves strictly in accordance with law and in order to avoid any inconvenience to the petitioner, they may continue further proceedings, if so warranted from their Regional Office at Karachi and shall provide fair opportunity of being heard and if there is no concrete material, the inquiry may be concluded within reasonable time.

Instant petition along with pending applications are disposed of in the above terms.

**CHIEF JUSTICE**

**JUDGE**