

**IN THE HIGH COURT OF SINDH,  
AT KARACHI**

**Suit No.110 of 2022**

Plaintiff : Ms. Popular International (Pvt) Ltd, through Aamir Raza, Advocate.

Defendant : M/s. Etisalat Group, through Mansoor Hassan Khan, Advocate.

Date of hearing : 21.03.2024.

**ORDER**

**YOUSUF ALI SAYEED, J.** - The Plaintiff is a private limited company incorporated in Pakistan, whereas the Defendant is a telecommunications company based in the United Arab Emirates.

2. The Suit is one for damages, and has been brought on the averment that the Plaintiff's chief executive officer was arrested when he landed at Dubai airport in the month of January 2020 (the exact date has not been specified), with it then coming to the fore that such action had been taken due to a criminal case that had been registered for fraudulent misuse of a SIM card issued by the Defendant against his passport at a point in time when the holder had not been in the UAE, and it being said that the issuance of the SIM was a wrongful act on the part of the Defendant, for which that individual unnecessarily had to face trial over a period three months, eventually culminating in his acquittal (again, with no case number or dates have been mentioned).

3. Under the given circumstances, it is apparent that the Suit is as misconceived as can possibly be, having been brought in the name of the wrong plaintiff in as much as the cause of action, if any, accrued in favour of the chief executive officer in his individual capacity rather than the company, and that too beyond the territorial jurisdiction of this Court.
4. Responding to CMA No.3848/23 filed by the Defendant under Order 7, Rule 10 CPC, the only arguments advanced by learned counsel for the Plaintiff were that such Application was not maintainable as it had been filed without proper authorization and that this Court had jurisdiction as the Defendant held a significant shareholding in Pakistan Telecommunication Company Ltd.
5. Both those arguments are completely devoid of force as the point of jurisdiction is one to be looked into by the Court of its own accord and as the shareholding of the Defendant in another company incorporated in Pakistan is of absolutely no relevance from the jurisdictional standpoint.
6. In view of the foregoing, the listed Application stands allowed. Let the original Plaint be returned, with a copy being retained in the Court file.

JUDGE