

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.

Const: Petition No.D- 205 of 2018

(Sarfraz Khan v. S.E Operation, SEPCO Larkana & Ors)

DATE OF HEARING ORDER WITH SIGNATURE OF HON'BLE JUDGE

Present:

*Mr. Justice Muhammad Saleem Jessar.
Mr. Justice Adnan ul Karim Memon.*

Date of hearing and Order: 12.3.2025.

Nemo for the petitioner (since died).

Mr. Asif Ali Abdul Razak Soomro, advocate for the respondents.

Mr. Oshaque Ali Sangi, Assistant Attorney General.

ORDER.

ADNAN UL KARIM MEMON-J.:- The petitioner has requested that the superintendent of Operation, Sukkur Electric Power Company (SEPCO) Larkana, be stopped from continuing unauthorized load shedding in Larkana Division. Provide a load-shedding schedule and technical failure details since January 2018. Ensure uninterrupted electricity supply to Larkana Division.

2. A Supreme Court advocate, representing Larkana Division, petitioned against SEPCO's illegal load shedding, which violates Federal Government promises and cripples the local economy. He demanded scheduled power outages, explanations for failures, and consistent electricity, submitting court intervention as the only solution.

3. While the petitioner tragically passed away before a final decision, the matter's significance for the wider public necessitates its continued pursuit.

4. The respondents' challenge to this petition's legitimacy is without merit. When power outages severely impact a large segment of society, disrupting their lives and businesses, legal action is justified. This is supported by Supreme Court rulings reported in 2012 SCMR 773, *(alleged corruption in rental power plants, etc)* and 2014 SCMR 2020 *(Human Right Case No. 14392 of 2013, Sua Moto Case No. 01 of 2013, etc; Engineer Iqbal Zafar Jhagra v.*

Federation of Pakistan), which acknowledges that electricity is fundamental to the constitutional right to life.

5. On May 9, 2018, the Supreme Court, in Human Rights Case No.20883 of 2018, recognizing the severity of unannounced load-shedding in Sindh, took suo moto action. This indicates the public's hardship.

6. SEPCO is obligated to create a mechanism within one month to ensure that regular bill-paying consumers are not penalized for electricity theft committed by others in their locality. This requires a system to distinguish between compliant and non-compliant customers, along with strict disciplinary action against SEPCO staff involved in abetting theft.

7. SEPCO must stop penalizing paying customers for others' theft or defaults. The CEO, Larkana operations superintendent, and all Larkana subdivision officers are ordered to ensure uninterrupted electricity, and strictly enforce action against electricity thieves and defaulters.

8. This petition stands disposed of in the above terms as well as in terms of decisions of the Supreme Court on the subject issue. Let a copy of this order be transmitted to the CEO, SEPCO Sukkur, Superintending Engineer Larkana, and all Larkana subdivision officers for compliance, in case of failure, the matter shall be taken up in terms of Article 204 of the Constitution.

JUDGE
JUDGE 12/3/2025