

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

C.P. No.D-1637 of 2025

Ali Khan Laghari Vs. Federation of Pakistan & others

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

For orders on urgent application.  
For orders on office objections.  
For orders on exemption application.  
For hearing of main case.

**02-09-2025**

Petitioner is present in person.

-----

Through the instant petition, the petitioner has prayed for the following reliefs:

**a.** *Issue a writ of quo warranto directing Respondent No.05 to show cause by what authority respondent No.05 claims to hold, occupy, or exercise the functions of the public office as Major in Pakistan Army and serving in its prominent wing of ISI.*

**b.** *That this Honorable Court may be pleased to call detailed report from respondent No.01 and 02 about official capacity of respondent No.05 by submitting the detail of commission and selection board.*

**c.** *Declare that Respondent No.05 has no legal right or authority to occupy, hold, or exercise the duties and functions Major in Pakistan Army and serving in its prominent wing of ISI.*

**d.** *That this Honorable Court may be pleased to direct the official respondents to take legal action against respondent No.05 as such he is liable to be prosecuted under, Pakistan Army Act 1952 & official secret act 1923 and Pakistan Penal Code 1860.*

**e.** *Issue any other appropriate writ, order, or direction as deemed fit and proper in the circumstances of the case.”*

It appears from the record that the reliefs sought by the petitioner directly pertain to the internal affairs and service matters of the Pakistan Army, which are exclusively governed by the Pakistan Army Act, 1952, and fall within the domain of the Armed Forces authorities. The constitutional jurisdiction of this Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, does not extend to matters relating to the terms and conditions of persons who are subject to the Pakistan Army Act, nor can this Court exercise judicial review in respect of actions taken in the discharge of duties within military hierarchy or intelligence services. In the case of *Ex. Lt. -Col. Anwar Aziz (PA -7122) versus Federation of Pakistan through Secretary, Ministry of Defence, Rawalpindi and 2 others (P L D*

2001 Supreme Court 549) Hon'ble Supreme Court of Pakistan has observed as under:-

*“This Court can interfere only in extraordinary cases involving question of jurisdictional defect when proceedings before that forum become coram non iudice or mala fide. The matters relating to the Members of the Armed Forces or who for the time being are subject to any law relating to any of these Forces in respect of terms and conditions of service or in respect of any action taken in relation to him as Member of Armed Forces or as a person subject to such law, is barred by Article 199(3) of the Constitution.”*

Accordingly, this petition is not maintainable before this Court, as the reliefs claimed are beyond the scope of its constitutional jurisdiction. However, the petitioner is at liberty to avail remedy before proper forum for redressal of his grievance in accordance with law. Resultantly, the petition being not maintainable was dismissed, along with listed applications, in *limine* vide our short order dated 02.09.2025 and these are the reasons in support thereof.

J U D G E

J U D G E

Irfan Ali