

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No. D-3619 of 2026
(Khokan Mir & others v Federation of Pakistan & others)
C.P. No. D-3620 of 2026
(Shamim & others v Federation of Pakistan & others)

Date	Order with signature of Judge(s)
------	----------------------------------

Before:
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Adnan Iqbal Chaudhary

Date of hearing and Order: 14.07.2026

Mr. Rameez Naseem, Advocate, for the Petitioners.
Ms. Mehreen Ibrahim DAG

ORDER

Adnan-ul-Karim Memon, J. – Petitioners have filed these petitions under Article 199 of the Constitution seeking direction to the Respondents not to restrain the petitioners from travelling to their country, Bangladesh, which is illegal and unlawful, and also they are entitled to travel to their native place through their travel permits.

2. Learned counsel for the petitioners submits that the petitioners are Bangladeshi nationals, permanently belonging to Bangladesh and presently residing in Karachi, Pakistan. He submits that the petitioners arranged their old Bangladeshi passports/documents through relatives and obtained travel permits from the Bangladesh High Commission, Karachi, for their return to their native country. It is added that despite issuance of valid travel permits and necessary communication to the relevant authorities, the petitioners were not allowed to depart through FIA Immigration, Jinnah International Airport, Karachi. Learned counsel further submits that the petitioners, being poor and illiterate persons, approached the concerned authorities for necessary NOC and completion of formalities; however, instead of facilitating their return, they were harassed and threatened with arrest and registration of cases. He contends that the petitioners have no intention to remain in Pakistan and only seek permission to safely return to Bangladesh in accordance with the travel documents issued by their government. It is further submitted that the petitioners are suffering financial loss and mental agony due to their continued stay in Pakistan, whereas similarly placed Bangladeshi nationals were allowed to return to their native country pursuant to orders passed by this Court in earlier constitutional petitions. Learned counsel, therefore, seeks directions to the respondents to complete the necessary legal formalities and facilitate the deportation/return of the petitioners to Bangladesh without any harassment or obstruction.

3. Learned DAG submits that the petitioners may obtain travel permits from the Bangladesh High Commission, Karachi, to be verified by the Ministry of Foreign Affairs. She further submits that the petitioners' identity be verified by NADRA through biometrics and, if registered, their CNICs be blocked/cancelled with a certificate issued accordingly. Upon completion of all formalities under the Foreigners Act, 1946, the petitioners may be allowed to travel to Bangladesh. She therefore seeks dismissal of the petition.

4. We have heard the learned counsel for the petitioners and learned DAG, and perusing the available record, it appears that the petitioners are Bangladeshi nationals seeking permission to return to their native country through valid travel permits issued by the Bangladesh High Commission, Karachi. The grievance of the petitioners is limited to alleged restraint and delay in completion of necessary formalities by the concerned authorities.

5. The right to travel and leave the country, subject to lawful restrictions imposed by competent authorities, is recognized as part of the fundamental guarantees of liberty and dignity under the Constitution. However, this Court, while exercising constitutional jurisdiction under Article 199 of the Constitution, cannot bypass or substitute the statutory procedure required to be followed by the relevant departments, particularly where matters relating to immigration clearance, verification, and deportation formalities are involved.

6. In the present matter, the petitioners have expressed their willingness to return to Bangladesh and have no claim to remain in Pakistan. Since the petitioners are already holding travel permits issued by their country of origin, subject to scrutiny by the concerned authority, the respondents are required to facilitate completion of the necessary legal formalities in accordance with law and ensure that no unnecessary harassment or unlawful obstruction is caused to them.

7. Accordingly, the instant petitions are disposed of with directions to the concerned authorities, including FIA Immigration and the Special Branch/Foreigners Registration Office, to process the matter of the petitioners strictly in accordance with law and facilitate their return/deportation to Bangladesh after completion of all legal requirements. The petitioners shall cooperate with the authorities and provide all necessary documents for verification. Needless to mention that the respondents shall act fairly, transparently, and within the bounds of law.

JUDGE

JUDGE