

## ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI

Const. Petition No.D-5341 of 2025

Date	Order with signature of Judge
1. For orders on Misc. 22263/2025.	
2. For orders on office objections Nos.1 to 7.	
3. For orders on Misc. 22264/2025.	
4. <u>For hearing of main case.</u>	

**03.11.2025.**

Mr. Ghulam Akbar Jatoi, advocate alongwith petitioner.

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**1.** Urgency Application is granted.

**2 to 4.** Through instant Constitutional Petition, the petitioner has sought following reliefs: -

- (i) *To declare impugned Notification No.S.R.O.No.2011(1)/2025 dated 24.10.2025, whereby declaring Tahreek-e-Labaik Pakistan as proscribed organization as illegal, unlawful and consequently quash/ set-aside the same;*
- (ii) *Declare that the arrest of thousands of members of TLP, conducting raids at the houses of its members including petitioner, Masajid, Madaris, etc. is illegal, unlawful and against constitution.*
- (iii) *Direct the respondents to at once release all the arrested members of the TLP and further not to harass, humiliate and disgrace the petitioner and other members of TLP under the garb of illegal notification.*
- (iv) *To direct the respondents to allow the TLP to work as a political party with a peaceful activity under the constitution.*

**2.** The petitioner claiming to be an active member of Tehreek-e-Labaik Pakistan (“TLP”) has impugned aforementioned Notification, whereby the Ministry of Interior & Narcotics Control, Islamabad, Government of Pakistan, while exercising its powers conferred by Section 11B(1)(a) of the Anti-Terrorism Act, 1997 (“Act of 1997”) has declared TLP as Proscribed Organization for the purpose of the Act of 1997 and listed it in the First

Schedule of the said Act. Vide praying clauses (i) & (iv), the petitioner seeks a declaration to the effect that the impugned Notification is illegal, unlawful, etc. and direction to the respondents to allow the TLP to work as a political party with a peaceful activity under the Constitution.

**3.** It is an admitted position that if any proscribed organization is aggrieved by the order of Federal Government, made under section 11B of the Act of 1997, it has a remedy of filing review application before the Federal Government. In the case in hand, the petitioner has failed to disclose his *locus standi* to maintain instant petition to impugn the Notification, as he is not holding any office of the proscribed organization authorizing him to maintain this Petition. Moreover, the proscribed organization has alternate and efficacious remedy in terms of Section 11C of Act of 1997 by filing review before the Federal Government. The general principle is that a litigant should exhaust all available ordinary and/or statutory remedies before invoking the extraordinary Constitutional jurisdiction of the High Court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973. Hence, the writ Petition filed against a reviewable order is not maintainable in law.

**4.** As regards prayer clauses (ii) and (iii) of the Petition, the petitioner has not annexed any list of members of TLP, who have allegedly been arrested, and the list of *Masajid* and *Madaris* raided by the police. Even the petitioner has failed to disclose his relation with any of such alleged arrested members of TLP; hence the said prayer clauses being vague and ambiguous are not entertainable.

**5.** For the foregoing facts, discussion and reasons, this Petition being not maintainable in law is dismissed in *limine*, accordingly alongwith listed Application.

Acting Chief Justice

Judge

Ayub