

ORDER SHEET
IN THE HIGH COURT OF SINDH, AT KARACHI

C.P No.D-3211 of 2024
(Monem Zafar Khan & others vs. Federation of Pakistan & others)

For order as to maintainability

Date of hearing & order : 06.11.2025

Mr. Mohammad Vawda, advocate for petitioners

Mr. Ayan Mustafa Memon, advocate for respondent No.3

ORDER

MUHAMMAD IQBAL KALHORO, J:- This petition has been filed seeking directions against K-Electric to immediately halt the practice of load shedding and the K-Electric to adhere to the NEPRA Performance Standards Rules and NEPRA Fine Regulations.

2. On the last date of hearing, we had observed in our order that, *prima facie*, the petition was not maintainable as the issue of load shedding had already been decided by the Supreme Court. Furthermore, in light of Section 39 of the NEPRA Act, the petitioner had a remedy before NEPRA. Today, we have heard arguments on this point.

3. Learned counsel for respondent No.3 has submitted a statement along with a copy of order dated 17.10.2023 passed by the Supreme Court passed in Civil Petition No.2224/2020, wherein the same issue was decided. The relevant paragraph No.2 of the said order is reproduced below for reference:-

“2. Confronted with the aforementioned situation, the learned counsel for the Respondents submits that he would approach NEPRA/other competent fora for redressal of their grievances. In view of the foregoing, we find that the relevant forum for redressal of grievances of the Respondents is NEPRA which is a specialized forum and has the necessary powers to provide an adequate and efficacious remedy to the Respondents. In this view of the matter, the High Court erred in law in entertaining the matter and issuing the directions noted above. The impugned judgment of the High Court is therefore not maintainable. Consequently, we convert this petition into an appeal and allow the same. The judgment of the Peshawar High Court in Writ Petition No.3547-P of 2020 dated 19.08.2020 is accordingly set aside.”

4. In view of such above, we are clear in our mind that this petition is not maintainable. Accordingly, the same is dismissed. However, the matter of

load shedding is referred to NEPRA for a decision within a period of one month and report to be submitted through MIT-II of this Court.

This petition is disposed of in above terms along with pending application(s).

JUDGE

JUDGE

Rafiq/PA.