

IN THE HIGH COURT OF SINDH AT KARACHI

Present: **Yousuf Ali Sayeed and Agha Faisal, JJ.**

C.P. No.D-1021 of 2019 : Ameer Jahan / Bisma Naureen
vs. Federation & Others

For the Petitioner : In Person

Date of Hearing : 21.09.2020

Date of Announcement : 21.09.2020

ORDER

Agha Faisal, J: The present petition has been filed *inter alia* seeking recovery of *Twenty Two Thousand Eight Hundred Trillion Rupees*, allegedly obtained from auction of diamonds; *Seven Thousand Eight Hundred Trillion Rupees*, allegedly donated by a citizen; *miles high mountains of gold*. Per the petitioner, these amounts / diamonds / mountains of gold were donated for a Government debt retirement scheme, hence, the petitioner seeks recovery thereof and further that *Thirty Three percent* of such proceeds may be decreed in favour of the petitioner.

2. At the very onset the petitioner, appearing in person, was required to address the Court with respect to the maintainability of the petition. The petitioner argued the alleged items belonged to the State, hence, recovery thereof (along with the one third share of the petitioner) was required to be facilitated by this Court in the public interest.

The exercise of powers, per Article 199 of the Constitution, was required to be undertaken upon application of an aggrieved person¹. The petitioner has made no submission before us to suggest that she falls within the definition of an aggrieved person², hence, this petition is declared to not be maintainable.

3. Even otherwise, this Court is at pains to decipher whether to consider the claims of the petitioner as fallacious or facetious; more so when there is no substantiation of the said claims pleaded and even the State (supposed to be the intended recipient of such largesse or at least two thirds thereof) has denied such claims³. It is with the utmost restraint that we observe that the present petition is devoid of merit.

4. In view of the reasoning and rationale herein contained, we are of the considered view that the petitioner has been unable to set forth a case for the exercise of extra ordinary Constitutional jurisdiction by this Court, hence, this petition is hereby dismissed.

JUDGE

JUDGE

¹ Barring certain exceptions, i.e. writ of quo warranto, however, no case was made out to qualify the present petition within an exception recognized by law; 2019 SCMR 1952.

² Raja Muhammad Nadeem vs. The State reported as PLD 2020 Supreme Court 282; SECP vs. East West Insurance Company reported as 2019 SCMR 532.

³ Per the Statement filed by the learned DAG dated 21.08.2020 under cover whereof the concise statement of the Secretary Finance Division Government of Pakistan was submitted.