

**IN THE HIGH COURT OF SINDH AT KARACHI**

Before:  
Ahmed Ali M. Shaikh, CJ  
Yousuf Ali Sayeed, J

CP No.D-6123 of 2020

Muhammad Adeel Ahmed Versus Federation of Pakistan and others

1. For hearing of CMA No.26308/2020
2. For hearing of main case.

Petitioner through Mr. Muhammad Akbar, Advocate.  
Respondent Federation of Pakistan through Mr. Khaleeq Ahmed, DAG

Date of hearing 29.11.2021

**ORDER**

**AHMED ALI M. SHAIKH, CJ.**- Through these proceedings petitioner, inter alia, seeks: (i) ban on smuggled/imported Indian products in the country; (ii) actions against private respondents No.18, 19 and 20, two amongst them are residing outside the territorial jurisdiction of this Court, for using fake power of attorney to run their unlawful business of Indian products; and (iii) to restrain the respondents from interfering in the lawful business of the petitioner.

2. Briefly, facts as stated in the petition are that the petitioner being sole proprietor used to manufacture his products in the name and style of Godrej Expert Creme Hair Colour (the "**Hair Colour**"), duly registered with the Intellectual Property Organization, Trade Mark Registry and the Registrar Copyrights, Karachi. Though the Government of Pakistan vide SRO dated 09.08.2019 imposed ban upon trade with India the Respondent No.18, carrying on business under the name and style Shaheen Traders Limited, Lahore, distributing products of Godrej Company of Mumbai, India and Respondents No.18 to 20 used to visit the distributors of petitioner's products in Karachi to sell the Indian smuggled Products. It is alleged that the private respondents in order to achieve their nefarious design also got registered fabricated FIRs against the petitioner's distributors and suppliers, inter alia, to harass and destroy his business. Petitioner alleged that the official respondents are in league with the private respondent.

3. During course of arguments, learned counsel for the petitioner admitted that the dispute is between the petitioner and the private respondents with regard to the registration of trade mark, copyright, etc of the Hair Colour. Besides, the three FIRs, lodged by the private respondents, photocopies annexed with the petition prima facie shows existence of dispute between petitioner and private respondents over alleged violation of trade mark, copy rights etc by the accused persons. Furthermore, pertinently, out of the three private respondents, two are based in Punjab while as per special power of attorney and other documents annexed with the petition, the petitioner is also residing at Lahore. In the given circumstances, we are of the view that instant petition is devoid of merit and is dismissed accordingly alongwith pending misc. application. The petitioner however may approach the relevant fora for redressal of his grievances, if so advised.

Chief Justice

Judge