

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-4077 of 2022

Date	Order with signature of Judge
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15.09.2022.

Petitioner Mst. Samira Mahamadi is present in person.
Mr. Sandeep Malani, Assistant Advocate General, Sindh.

YOUSUF ALI SAYEED, J. - The Petitioner has invoked the jurisdiction of this Court under Article 199 so as to impugn the vires of the Sindh Epidemic Diseases Act, 2014 (the “**2014 Act**”), on the ground that its provisions violate the fundamental rights guaranteed under the Constitution. It has, inter-alia, been contended that the Act has been promulgated to satisfy International Mandates; that a Dangerous Epidemic Disease cannot be deemed to include any Pandemic which is not Epidemic & Highly Contagious or Fatal, as proven by Autopsies, and that the implementation of social distancing and mandatory masking offend the State Religion of Islam and Principles of Islamic Ideology, and such measures cannot be imposed under the garb of intervention in the public interest. A host of other random questions are also sought to be raised on the touchstone of Sharia, without any indication of their relevance to the matter in hand. Furthermore, as it transpires, the Petitioner had earlier questioned the vires of the Act through C. P. No. D-2141 of 2020 in the wake of the steps taken by the Government of Sindh to curtail the size of congregational prayers at mosques as part of the overall restrictions imposed on the movement and gathering of persons as a policy measure aimed at promoting “social distancing” so as to curb the spread of the Covid-19 virus. That Petition was

dismissed by a Division Bench of this Court vide Order dated 15.04.2020, since reported as Samira Mahamadi vs. Province of Sindh & another SBLR 2021 Sindh 1517.

In view of the foregoing, this second Petition on the subject is misconceived, hence was dismissed with cost of Rs.10,000/- vide a short order made in Court on 25.08.2022.

JUDGE

CHIEF JUSTICE

MUBASHIR