

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-2236 of 2023

Date	Order with signature of Judge
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FRESH CASE.

1. For orders on Misc. No.10820/2023.
2. For orders on Office Objection No.01, 05 & 09.
3. For orders on Misc. No.10821/2023.
4. For hearing of main case.

11.05.2023.

Petitioner is present in person.

1. Urgency granted.
2. Deferred for the time being.
3. Granted subject to all just exceptions.
4. The Petition pertains to the clandestine recording of private telephonic conversation of citizens, those holding public office and otherwise, and the subsequent dissemination of those recordings through social and mass media platforms. The Petitioner contends that such recordings include those of Members of the Judiciary or their relatives/associates, which are being disseminated from time to time as a pressure tactics to influence pending cases and undermine the dispensation of justice. She submits that such surveillance could not be undertaken without the use of State machinery, hence the matter ought to be probed so as to determine the means and the underlying legal framework and authority, if any. She submits in the alternative that if the official role of the State is disavowed, it remains under obligation to determine the identity of rogue actors and take action against them accordingly. Per the Petitioner, in either case such responsibility rests

with the Minister of Interior and she seeks that he be sanctioned through disqualification. Without dilating for the time being upon where the responsibility lies, we are of the view that any surveillance and recordings made without legal sanction prima-facie constitute a violation of Article 14 of the Constitution. Hence, let notice be issued to the Respondents as well as DAG for 26.05.2023, by when comments ought to be submitted addressing the aforementioned matters.

CHIEF JUSTICE

JUDGE

MUBASHIR