ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI C.P No. D- 2882 of 2023

Date

Order with signature of Judge

For hearing of main case.

08.06.2023.

Petitioner Samira Mahamadi, in person.

Through this petition, the Petitioner has sought a prayer that the Safe City Project initiated by the Respondents / Federal Government be declared as unconstitutional and illegal.

At the very outset, we have confronted the Petitioner, who has appeared in person, as to maintainability of this petition; or for that matter whether she is an aggrieved person within the contemplation of Article 199(1) (a) & (c) of the Constitution of Pakistan and in response she submits that this is a public interest litigation and in view of Article 14 and 15 of the Constitution; as well as the Law enunciated by the Supreme Court in various judgments, the impugned Project is in violation of the fundamental rights of the Petitioner.

However, on perusal of the memo of petition and the arguments so addressed, we are least impressed by her submissions inasmuch as admittedly she is not an aggrieved person under Article 199 ibid. Moreover, even otherwise, we do not see that in any manner, the Safe City Project, as alleged, has been initiated in violation of any Constitutional provision(s) as contended. The Project in question is in fact, beneficial to all, and has got nothing to do with the alleged violation of The Investigation for Fair Trial Act, 2013 as contended by the Petitioner. Lastly we may observe that in fact an attempt has been made by the Petitioner to seek publicity through filing of this petition without any justifiable cause of action. Per settled law public interest litigation should not be aimed at publicity, and that the Court must see that the member of

public approaching the Court in public interest jurisdiction is acting *bonafide*¹. Public interest litigation should not be mere adventure or an attempt to carryout fishing expedition to settle personal scores². The court must distinguish between the **public interest litigation** and a **publicity interest litigation** or **private interest litigation** or **politics interest litigation**³.

In our considered view this petition appears to be misconceived and is an attempt to gain publicity; hence it was dismissed by means of a short order in the earlier part of the day by imposing cost(s) and these are the reasons thereof.

JUDGE

JUDGE

<u>Ayaz</u>

¹ Akhtar Hassan Khan v. Federation of Pakistan (2012 SCMR 455)

² Dr. B. Singh v. Union of India (AIR 2004 SC 1923)

³ Mian Shabir Asmail v. The Chief Minister of Punjab (PLD 2017 Lahore 597)