

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**C. P. No.D-2823 of 2024**

(Noor Muhammad & others Vs. Federation of Pakistan & others)

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
------	-----------------------------------

Present:  
Mr. Justice Muhammad Shafi Siddiqui  
Justice Mrs. Rashida Asad

**Fresh Case**

1. For orders on Misc. No.12819/2024 (Urgency).
2. For orders on office objection No.1.
3. For orders on Misc. No.12820/2024 (Exemption).
4. For hearing of main case.

.....

**Dated 11.06.2024**

Syed Shoa Un Nabi, Advocate for the petitioners.

.....

**Muhammad Shafi Siddiqui, J.-** Petitioners being employees have filed a petition under Article 199 of the Constitution of Islamic Republic of Pakistan against their private employer i.e. BOL News Network. They claimed to have not been paid their salaries for quite some time and hence they have raised their grievances against a private employer. We have enquired from the learned counsel if such writ could be issued against a private employer in respect of an unpaid salary as claimed, he relied upon a case of some electronic media houses, wherein action was taken under “suo motu power” by the Hon’ble Supreme Court in a suo motu case numbered as No.5/2018.

2. We do not exercise such powers as were exercised by the Hon’ble Supreme Court under suo motu jurisdiction<sup>1</sup>. Our jurisdiction is framed under Article 199 of the Constitution and

---

<sup>1</sup> PLD 2021 S.C. 571

that has its own contours which cannot be extended to a private employer under Article 199. This suo motu action as undertaken by the Hon'ble Supreme Court has been extended presumed to their jurisdiction being exercised which jurisdiction we do not enjoy. Similarly, the reliance on Section 26 of the PEMRA Ordinance is also misconceived which is related to the "contents" of the program being aired. There is no such complaint of such nature which could be traced under Section 26 of the PEMRA Ordinance. They may well have their rights to recover the unpaid salaries but not under Article 199 of the Constitution of Islamic Republic of Pakistan against a private employer, hence we are unable to exercise powers in respect of an unpaid salary against a private employer. The petition is not maintainable and is dismissed *in limine*.

JUDGE

JUDGE

Asif