

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-1228 of 2024

Date

Order with signature of Judge

FRESH CASE:

1. For order on CMA No.5744/2024 (Urgent).
2. For order on CMA No.5745/2024 (Stay).
3. For hearing of main case.

Dated; 11th March 2024

Ms. Sameena Rizwan, Advocate & Petitioner No.1
alongwith other Petitioners.

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1. Urgency granted.

2&3. Through instant Constitutional Petition, the petitioners, who are all citizen of Pakistan, have expressed their serious concern and grievance against holding of an event of a **“Dance Junction Volume 2”** under auspicious of the Arts Council of Pakistan, Karachi in collaboration with one Wahab Shah, held on 8th March 2024 with a sub-title **“dance to express yourself”**, wherein, according to petitioners, various advertisements for collecting the donations and calling volunteers for **Aurat March** were made available on the social media platforms and the website of Arts Council of Pakistan i.e. WWW.ACPKHI.COM. Whereas, according to petitioners, highly objectionable writings on play cards were displayed by women folk and young girls on the said event even at Public Roads, which are not only against Islamic Injunctions, but also in clear violation of the provisions of the Constitution of Islamic Republic of Pakistan, 1973, which provides that all the laws shall be made in conformity with the Islamic Injunctions, whereas, as per Article 2 of the Constitution, Islam is the State religion of Pakistan, and as per Article 2-A, the Objectives Resolution is the substantive part of the Constitution as defined in

Chapter-II of the Constitution. According to learned counsel, Article 31 of the Constitution provides as under: -

31. Islamic way of life. (1) *Steps shall be taken to enable the Muslims of Pakistan, individually and collectively, to order their lives in accordance with the fundamental principles and basic concepts of Islam and to provide facilities whereby they may be enabled to understand the meaning of life according to the Holy Quran and Sunnah.*

(2) *The State shall endeavour, as respects the Muslims of Pakistan, ---*

(a) *to make the teaching of the Holy Quran and Islamiat compulsory, to encourage and facilitate the learning of Arabic language and to secure correct and exact printing and publishing of the Holy Quran;*

(b) *to promote unity and the observance of the Islamic moral standards; and*

(c) *to secure the proper organisation of zakat, [ushr,] Auqaf and mosques.*

According to learned counsel for the petitioners, there are some unscrupulous elements, who in the garb of rights of women, and civil liberties, try to cross the limits of Constitution and Islamic Injunctions to please the western world for extraneous considerations and make attempt to destroy the peaceful atmosphere in the country by hurting the feelings of large number of Muslim citizen, particularly women / girls, who live to observe and follow the Islamic Injunctions and the law of the country, therefore, such events can be seriously detrimental to the Islamic Injunctions and moral values, which are required to be preserved under the Constitution of Pakistan on the one hand and can cause unrest, therefore, all such acts committed by the respondents against the Islamic Injunctions and in violation of law are required to

be stopped immediately, whereas, the persons, who are responsible for holding and promoting such activity, shall be dealt with strictly in accordance with law. Petitioners further submits that they tried to approach this Court as soon as they came to know about holding of such event, however, the matter could not be taken up in Court on urgent hearing, whereas, the cause still survives, as they will continue to hold such events if there is no check on the aforesaid activity.

The concern expressed by the petitioners, who are women and citizen of Pakistan, is serious in nature and of public importance, as prima facie, the material, which has been placed on record in the instant petition, reflects the intention of the respondents, which seems to be contrary to the provisions of Constitution of Islamic Republic of Pakistan, 1973, whereas, it has the potential threat to create serious unrest amongst the large number of Muslim citizen of Pakistan, particularly women at large, who want to lead their lives as per Quran, Sunnah, Injunction of Islam and the Constitution of Pakistan. We would, therefore, issue pre-admission notice to the respondents as well as to the Advocate-General, Sindh and Deputy Attorney General, to be served through first three modes, for **19.03.2024**, when comments/reply, if any, shall be filed with advance copy to the petitioners, whereas, the President / General Secretary of Arts Council of Pakistan, Karachi and Mr. Wahab Shah shall also be in attendance.

CHIEF JUSTICE

JUDGE

Farhan/PS
