ORDER SHEET IN THE HIGH COURT OF SINDH AT KARACHI

C.P No. D-1056 of 2018

Date:

Order with signature(s) of the Judge(s)

For orders as to maintainability of petition

25.07.2019

Mr. Amir Raza, Advocate for the petitioner.

Mr. Ishrat Z. Alvi, D.A.G.

Mr. K. A. Vaswani, A.A.G.

Syed Meeral Shah, Addl. P.G.

Primary consideration of the petitioner in this petition is that the minor who is the daughter of the petitioner and respondent No. 4, travelled on the basis of the fake documents. The reports of respondent No. 3 shows that a valid passport was issued in the year 2010 and 2014, token receipt of subsequent passport is available with the statement filed by the Asst. Attorney General. Counsel for the petitioner thus concedes that the documents may have been genuine and original but perhaps no objection affidavit or certificate of father was not made available. When asked as to which rule would restrict respondent from re-issuing passport in the year 2014 when issuance of earlier passport issued in the year 2010 was not challenged, he concedes that he does not press this ground as far as this petition is concerned.

He next argued that the Iqama, on the basis of which the respondent No. 4 travelled, was issued by the Saudi Arab's Government, based on the documents which are not authentic and lawful.



On that count too, the alleged cause accrued beyond the territorial jurisdiction of this Court. The petitioner may pursue his remedy in that regard too in case he so advised.

The third contention of the petitioner's counsel is that the F.I.A is not adhering to the complaint as lodged with them. There is no such relief claimed in this petition nor he could as there is a proper forum and remedy under the law which he may pursue before the appropriate court after completing the procedural requirements for maintaining his application/petition before the concerned Sessions Court, thus there is no substance in the petition for any indulgence and is accordingly dismissed.

JUDGE

Imran/P.A