

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D – 4843 of 2026
(*Khoso Mirza versus Federation of Pakistan & others*)

DATE	ORDER WITH SIGNATURE OF JUDGES
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Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Muhammad Jaffer Raza

Date of hearing & orders: 04.9.2026

Mr. Mehmood-ul-Hassan, advocate for the Petitioner.
Ms. Wajeeha Mehdi, Assistant Attorney General.

ORDER

Adnan-ul-Karim Memon, J. Petitioner Khoso Mirza filed this Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking the following reliefs:

- a. *Declare that the impugned action of NADRA of blocking the Petitioner’s CNIC is illegal, unlawful, and without jurisdiction.*
- b. *Direct NADRA to immediately restore and unblock the Petitioner’s CNIC as the Petitioner has to come from abroad for the funeral ceremony of his father.*

2. Learned counsel for the petitioner submits that the petitioner, is presently residing abroad, has invoked the constitutional jurisdiction of this Court under Article 199 of the Constitution, challenging the arbitrary and unlawful blockage of his CNIC by NADRA. It is contended that the CNIC was blocked without prior notice, show-cause notice, hearing, or communication of any speaking order, thereby depriving the petitioner of his legal identity and adversely affecting his banking, travel, immigration and other civil rights. Learned counsel argues that the impugned action is without lawful authority and violates Articles 4, 9, 10-A, 15, 18 and 25 of the Constitution, as no person can be condemned unheard and any adverse administrative action affecting fundamental rights must be taken strictly in accordance with law and the principles of natural justice. NADRA, according to counsel, has no unfettered discretion to block or digitally impound a CNIC and must exercise its powers within the statutory framework of the NADRA Ordinance and after providing due process. Counsel further submits that the petitioner is a U.S. national but remains a Pakistani citizen and requires restoration/renewal of his CNIC, particularly as he wishes to travel to Pakistan to attend the funeral of his father and to avail himself of his legal and civil rights. Reliance has been placed upon recent judgments of this Court and Lahore High Court, including Const. Petition No.1494 of 2025, decided on 21.05.2026, wherein it was held that a CNIC

cannot be blocked without statutory authority and due process. It is therefore contended that the impugned action is illegal, arbitrary, without jurisdiction and liable to be set aside. Learned counsel consequently prays that the blockage of the petitioner's CNIC be declared unlawful and without jurisdiction and that NADRA be directed to immediately restore/unblock the CNIC, along with any other relief deemed just and proper in the circumstances.

3. Counsel for Respondent Nos. 2 and 3/ NADRA submitted that as per the Verification and Revocation Branch, the petitioner's CNIC was blocked in connection with multiple criminal cases under section 489-F PPC pending before the lower courts. He contended that the petitioner must approach the concerned courts for disposal of those cases and obtain appropriate orders for unblocking of his CNIC. He further pointed out that the Special Power of Attorney annexed at page 17 had neither been attested by the U.S. Embassy nor notarized by a Notary Public in the USA. Accordingly, it was prayed that the petitioner be directed to approach the competent courts for appropriate orders regarding the cases and consequential unblocking of his CNIC.

4. At this stage, learned Counsel for the petitioner submitted that the petitioner is presently out of the country and unable to return to Pakistan to perform the funeral rites of his deceased father. He further referred to the letter dated 01.09.2026, stating that the deceased's body remains in the mortuary. It was contended that, due to the blockage of the petitioner's CNIC, he is unable to perform the funeral rites; however, he added that his CNIC be temporarily unblocked, enabling him to perform the funeral rites.

5. We have heard the learned counsel for the parties on the limited scope as pointed out and perused the record with their assistance.

6. In view of the peculiar and exceptional circumstances of the case, particularly the death of the petitioner's father and the fact that his dead body is stated to be lying in the mortuary, this Court is inclined to extend limited relief to the petitioner on humanitarian grounds. Accordingly, the respondents/NADRA are directed to temporarily unblock the petitioner's CNIC forthwith only to the extent to enable him to enter Pakistan and perform the necessary funeral and burial rites of his deceased father.

7. It is clarified that such temporary relief shall not be construed as adjudication upon the legality of the CNIC blockage, nor shall it operate as an exemption from or affect the criminal proceedings pending against the petitioner under Section 489-F PPC. Upon his arrival in Pakistan and after performing the funeral rites, in one week, the petitioner shall, without unnecessary delay, appear

before the competent court seized of the said criminal cases and seek such protection or appropriate orders as may be available to him under the law, and thereafter face the proceedings/trial in accordance with law.

8. The relief granted herein is, therefore, strictly confined to the aforesaid humanitarian purpose and shall not create any right in favour of the petitioner with regard to the pending criminal cases or the permanent restoration of his CNIC.

9. Without touching the merits of the case, and subject to the above observations and directions, this Constitutional Petition stands disposed of.

JUDGE

JUDGE

Shahzad Soomro