

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Constitutional Petition No.D-4364/2026
(Banat Gul vs. The Federation of Pakistan and others)

Date _____ Order with signature of Judge _____

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Muhammad Jaffer Raza

Date of hearing & order : 02.09.2026

Mr. Zahid Iqbal, Advocate for petitioner.
Mr. Abdus-Samad, Advocate for NADRA.
Ms. Wajeeha Mehdi, DAG.

Adnan-ul-Karim Memon, J: The Petitioner Banat Gul has filed this Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, with the following relief: -

- a) *To direct NADRA to unblock the NIC of the petitioner.*
- b) *To declare the impugned notice and blocking of CNIC as illegal, unlawful and unconstitutional*
- c) *To direct the respondents to immediately unblock and restore the CNIC of the petitioner*

2. The case of the petitioner, Banat Gul, is that he is a Pakistani citizen by birth and was issued a manual National Identity Card in 1976, followed by a CNIC after due verification by NADRA. He claims to have served in the Pakistan Air Force in 1979 and was also issued a Pakistani passport, arms licence and driving licence by the competent authorities. His brothers, sisters, children and other close relatives are likewise holders of Pakistani CNICs. However, his CNIC was blocked/impounded by NADRA without any conclusive proof or lawful determination, despite an affidavit submitted by her brother in her favour. The petitioner states that he approached NADRA and submitted all relevant documentary evidence for verification. He also appeared before the verification committee constituted by the Additional Deputy Commissioner, District Korangi, and produced the CNICs and other documents of his family members. It is further submitted that despite fulfilling all requirements, the respondents failed to decide his case for more than six years. He contends that the continued blocking of her CNIC is illegal, arbitrary and violative of his fundamental rights and due process, leaving him with no adequate alternate remedy except to invoke the constitutional jurisdiction of this Court. He therefore seeks a declaration of the blocking as unlawful and unconstitutional and a direction to NADRA to immediately unblock and restore her CNIC, along with any other appropriate relief.

3. The respondents No.2 to 4 contested the petition and raised preliminary objections regarding its maintainability, contending that the petitioner seeks a declaration of Pakistani citizenship/national status, which is governed by the Pakistan Citizenship Act, 1951 and can only be determined by the competent authorities and prescribed forums. It was further contended that the petition was filed without exhausting the available remedies and without complying with Sections 79 and 80 CPC. The respondents maintained that NADRA is primarily a database registration authority and that the question of citizenship falls within the domain of the Ministry of Interior. They further asserted that blocking or suspension of a CNIC is an interim measure pending verification and, in the absence of any final order, the petitioner has no cause of action before this Court. On the merits, the respondents denied the petitioner's allegations and stated that his CNIC had initially been digitally impounded on 29.01.2020 on account of fake particulars and was subsequently impounded under the Illegal Foreigners Repatriation Plan (IFRP). The petitioner's case was processed for verification, but was referred to the concerned agency due to insufficient evidence. An Intelligence Bureau report also indicated that the petitioner did not possess documents required under the applicable policy. The matter was thereafter referred to the District Level Committee, Korangi, for decision. The respondents stated that the petitioner had not approached the concerned branch or committee for review with additional documentary evidence. The respondents further maintained that the petitioner is required to appear before the concerned Zonal Office/Board with original documents establishing his status, particularly documents relating to the requisite period, along with one Alpha family member, for re-evaluation in accordance with NADRA's revised Verification and Revocation Policy 5.0.0. Accordingly, they prayed for dismissal of the petition and for a direction to the petitioner to approach the competent Zonal Board with the required original documents for re-evaluation of his case in accordance with law and policy.

4. We have heard the learned counsel for the parties and perused the record with their assistance.

5. The petitioner seeks, in substance, a declaration regarding his Pakistani citizenship and a consequential direction for restoration of his CNIC. Such a determination involves disputed questions of fact concerning his nationality and status, which fall within the statutory framework of the Pakistan Citizenship Act, 1951 and the jurisdiction of the competent authorities.

6. The record further shows that the CNIC was impounded based on verification concerns and that the petitioner's case has already been processed and referred to the competent forums/agencies for determination. Mere possession of

a manual identity card, passport, driving license, arms license or CNIC, particularly where the underlying status itself is under verification, does not by itself confer an indefeasible right to restoration of the CNIC without completion of the prescribed verification process.

7. The respondents have also pointed out that the petitioner has an available mechanism for re-evaluation before the concerned Zonal Office/Board under the applicable NADRA Verification and Revocation Policy, where he may produce original documents and other evidence establishing his citizenship and identity. The petitioner has not demonstrated that such statutory/administrative remedy has been exhausted or that the competent authority has passed any final order finally determining his citizenship adversely.

8. In these circumstances, the extraordinary constitutional jurisdiction under Article 199 cannot be invoked for adjudication of disputed factual matters in the first instance, particularly where an efficacious mechanism is available before the competent authority.

9. Accordingly, while the petitioner is required to approach the concerned NADRA Zonal Office/Board or other competent forum with all original documentary evidence, including the documents relating to his family and his own status, the respondents shall consider and decide his case strictly in accordance with the Pakistan Citizenship Act, 1951, the applicable rules and the prevailing NADRA verification policy, after affording him a proper opportunity of hearing. The aforesaid exercise shall be undertaken within three weeks.

10. The petition, therefore, is disposed of with the aforesaid direction, without touching the merits of the case.

J U D G E

J U D G E