

Form No: HCJD/C-121

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.1021/2020

Civil Society of Pakistan
through Ihtesham Ahmed

Versus

Federation of Pakistan
through Secretary Ministry of Interior & 4 others

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
01	30-03-2020	Hafiz Malik Muhammad Mazhar Javed, Advocate for petitioner. Mr Tariq Mehmood Khokhar, Addl. Attorney General.

Through this petition, the petitioner Society has sought multiple prayers. Perusal of the memorandum of petition shows that the petitioner Society is aggrieved on account of failure on part of the Federal Government to take prompt and proper action to prevent the spread of COVID-19. The petitioner Society, in particular, is aggrieved on account of lack of proper arrangements having been made on the border between Pakistan and another neighboring country. The petitioner Society has prayed for constituting a 'Judicial Commission' to inquire into the matter. The petitioner Society has also sought other prayers which are in the

nature of interfering with the policy of the Government.

2. The World Health Organization has declared "Public Emergency of International Concern" and pursuant thereto the Government of Pakistan has formulated a comprehensive National Action Plan. The Federal Government and the Provincial Governments are dealing with the crisis in order to prevent the spread of the deadly COVID-19 and safeguard the citizens from harm. In such a situation it is not appropriate to doubt the bonafides of the State and its functionaries. Moreover, it is a global challenge to contain the spread of the COVID-19. It is the duty of every citizen to act in a responsible manner. It is not a time to raise controversies or to doubt the intention of the State and its functionaries in meeting the challenges posed by the deadly COVID-19. The challenges can only be met through a united stand. Indeed in these challenging times the saying that "united we stand and divided we fall" is most relevant. It is, therefore, not in public interest to entertain the petition as it would raise an unnecessary

controversy and prejudice the efforts of the State to combat the challenges posed by an invisible enemy. Moreover, the jurisdiction of this Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973 cannot be exercised to conduct roving inquiries. It is of paramount importance to remain united and have trust and confidence in the State and its functionaries and avoid raising controversies at this stage.

3. For the above reasons, this Court is not inclined to entertain this petition and, therefore, it is accordingly dismissed.

(CHIEF JUSTICE)

Luqman Khan/*