

ORDER SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
(JUDICIAL DEPARTMENT)

W.P. No.1328 of 2020

Syed Azhar Abbas
Vs.
Government of Pakistan & Others.

S.No. of order/ proceeding	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
(02)	11.05.2020	Petitioner in person.

Through the instant petition, under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, the petitioner seeks a direction to the Government of Pakistan to issue an order for closing the lockdown in the country and other multiple prayers.

2. The petitioner submits that imposing lockdown in the country due to COVID-19 pandemic is a fraud with the whole nation, as it is un-islamic, unconstitutional and illegal; that the Federal Government has failed to take prompt and proper action to prevent the spread of COVID-19 and that the respondents have failed to make proper arrangement to eradicate this virus.

3. As a result of the declaration i.e. *Public Emergency of International Concern*, by the World Health Organization, the Federal Government has chalked out a comprehensive national action plan and dealing with the crises in order to prevent the spread of the deadly COVID-19 pandemic to save the citizens from its harms, therefore, no doubt can be raised on the policies and bonafide of the Government and its functionaries at this critical situation. As such, it is duty of every citizen to behave in a responsible manner and not to raise controversies or to doubt the

intention of the State and its functionaries in meeting the challenges posed by the deadly COVID-19 pandemic.

4. The Federal Government or the Provincial Government, if it is satisfied that any part of the country is visited by, or threatened with an outbreak of any dangerous epidemic disease, the Government (Federal or Provincial) if it thinks that the ordinary provision of the law for the time being enforced are insufficient for the purpose, may take, or require or empower any person to take such measures and by public notice, prescribe such temporary regulations to be observed by the public or by any person or class of persons to prevent the outbreak of such disease or the spread thereof, may determine and by whom any expenses occur incurred, including compensation if any, shall be defrayed and no suit or other legal proceedings shall lie against any person for anything done in good faith.

5. Further, it is not in the public interest to entertain such petition, as it would cause or create unnecessary controversies on the efforts of the Federal Government in eradicating the pandemic COVID-19. The matter has already been taken up by the apex Courts of the country in S.M.C. 01/ 2020 "Suo Moto Action Regarding Combating The Pandemic Of Corona Virus (COVID -19)".

6. In view of the above, 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. This petition having no force is, therefore, **dismissed in limine**.

(GHULAM AZAM QAMBRANI)
JUDGE

Rana.M.Ift*