

**JUDGMENT SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**(JUDICIAL DEPARTMENT)**

**ICA No. 41 of 2020**

Adnan Somroo  
Versus  
FIA & five others, etc

Date of Hearing: 02.03.2020

Appellant By: In person.

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**Ghulam Azam Qambrani, J:** Through this Intra Court Appeal, the appellant seeks setting aside the impugned judgment dated 12.02.2020 passed by the learned Single Judge in Chambers in W.P No. 3414 of 2019 whereby writ petition filed by the appellant/petitioner was disposed-of as follows:-

*“ Keeping in view the above position the petitioner has never use the SIM No.0331-3474336 in any manner and this fact has been acknowledged by the PTA, Ufone, PTML as well as FIA, therefore, right of the petitioner has been protected and apprehension of the petitioner stands settled.*

*In view of above, instant Writ Petition stands dispose-of in the light of report and comments filed by respondents.”*

2. Brief facts of the case as narrated by the appellant are that the respondent No.3, Ufone, Pak Telecom Mobile Limited ( PTML) had issued an illegal SIM No. 0331-3474336 on appellant's CNIC No. 43304-3794204-1 on 03.02.2015; the appellant submitted an application to the PTA on 08.03.2018 to inquire the matter,

thereafter the appellant submitted three different complaints in F.I.A Cyber Crime Wing for protection of his other mobile numbers which were tapped in a concealed manner, he also submitted an application to the Ministry of Interior on 15.08.2018 as well as to the Prime Minister of Pakistan for initiation of action against Cyber Crime, but nothing has been done. The appellant being aggrieved, filed a writ petition No. 3414 of 2019 before this Court which was disposed-of vide judgment dated 12.02.2020, hence the instant Intra Court Appeal.

3. The appellant in person submitted that the learned Single Judge in Chambers vide impugned judgment did not identify the criminals who illegally issued SIM No. 0331-3474336 on appellant's CNIC number nor gave any direction to the F.I.A authorities regarding Cyber-attack, mobile phone number 0314-5358026 tapped in concealed manner, suspicious intervention in contacts numbers and Mobile hacking. Further submitted that acts of all the respondents are against the law and facts and it is the basic responsibility of the State to protect a citizen of the country; that the appellant is humiliated by the Security Agency Personnel since January, 2016 and he is being deprived of on the basis of race and ethnicity which is clear violation of Articles 9, 12(1), 14(1), 19, 20, 25 & 26 of the Constitution of Islamic Republic of Pakistan, 1973. He also submitted that he had submitted various applications to all the relevant offices, but in vain.

4. We have heard the appellant and have also perused the impugned judgment.

5. A careful perusal of the record reveals that issuance of unauthorized SIM No. 0331-3474336 has been blocked by the Ufone Customer Care Centre and further that PTA has recorded the said fact that the said SIM was never used as it was mistakenly issued in the name of the appellant and the same has been cancelled against the appellant's CNIC Number. As such after perusing the report submitted by the F.I.A on the inquiry conducted by them from PTA and Ufone, the learned Single Judge in Chambers held that the appellant had never used the SIM No. 0331-3474336 in any manner, which fact has been acknowledged by the PTA, Ufone, PTML as well as F.I.A and that the right of the appellant has been protected and his apprehension stood settled.

6. In view of the above, we are fully convinced that the impugned judgment is just, lawful and calls for no interference, if any new cause of action accrues to the appellant, he is at liberty to file an application in this regard, before the concerned forum.

7. For the foregoing reasons, the instant Intra Court Appeal is **dismissed in limine.**

(AAMER FAROOQ)  
JUDGE

~~(GHULAM AZAM QAMBRANI)~~  
JUDGE

S.Akhtar