

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P. No.3808/2020

Capt. (Rtd) Muhammad Safdar

Versus

Federation of Pakistan through Secretary Interior, Islamabad

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	14-12-2020	Mr Muhammad Jehangir Khan Jadoon, Advocate for petitioner.

Athar Minallah, C.J.- Capt. (Retd)

Muhammad Safdar has invoked the jurisdiction of this Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973 (*hereinafter referred to as the 'Constitution'*) seeking a direction to the Ministry of Interior to liaison with the Inspector Generals of Police of the respective provinces to provide him with security. He has also sought direction to the Ministry of Interior to remove the threat alert because it is responsible for the security of the citizens, especially the opposition leaders.

2. The learned counsel has been heard at length. During the course of arguments he has informed that an application was submitted before the Secretary, Ministry of Interior. It is noted that providing security to every citizen of Pakistan is a constitutional obligation of the State and it is an integral part of the fundamental right guaranteed under Article 9 of the Constitution. It is

a function which exclusively falls within the executive domain and, therefore, not justiciable by a High Court under Article 199 of the Constitution. According to the statement made by the learned counsel for the petitioner, the latter has already informed the concerned authorities. It is for the authorities to assess the requirements of providing security and no direction can be given by a High Court while exercising jurisdiction under Article 199 of the Constitution.

3. For the above reasons, the prayers sought in the petition are not justiciable and, therefore, it is accordingly *dismissed*. Needless to mention that this Court expects that the State will fulfill its constitutional obligation and provide security to every citizen of Pakistan without discrimination.

(CHIEF JUSTICE)

Luqman Khan/*