

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

Writ petition no. 2364/ 2022

Shahid Feroze and others
versus
Federation of Pakistan and others

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
2	29.06.2022	M/s Aasim Shafi and Abdul Ahad Nadeem, Advocates for the petitioner in the instant petition. Mr. Arslan Binyamin Abassi and Malik Qamar Afzal, Advocates for the petitioner in connected petitions. Ch. Muhammad Tahir Mehmood, learned A.A.G. Khurram Siddiqui, Director General (Law). M. Naeem Ashraf, Director (Litigation). Ch Adil Javed, Advocate (Litigation). Shahmeer Shahid, MTO (Law). Farhan Babar, MTO (Law). Nisar Ahmed Khan, Director Immigration, FIA. Majid Niazi, AD/FIA. Qaiser Masood, Additional Director (Law). Deputy Legal Advisor FIA HQ. Muhammad Ayub, Director General (Law), MoIT.

This petition was heard today along with other writ petitions no.2419/2022, 2420/2022, 2421/2022, 2422/2022 and 2433/2022.

2 Learned counsel for the respondent PTA states that the petitioners' names were placed on the Exit Control List (ECL) by the Ministry of Interior (MoI) on the asking of the Ministry of Information Technology (MoIT). However, it is evident from paragraphs no.7 and 8 of PTA's letter dated 25.03.2022 that MoIT's request to the MoI was initiated on PTA's recommendation.

3 No response was received by the petitioners within the time stipulated by law in cases where reviews under section 3 of *Exit from Pakistan (Control) Ordinance, 1981* were filed. In writ petitions no.2419/2022, 2420/2022, 2421/2022, 2422/2022 and 2433/2022, reviews were not filed, but the

learned counsel for the petitioners states that the remedy of review is not only illusory but also irrelevant in view of the case law that availing of the remedy of review does not stand in the way of exercise of Constitutional jurisdiction in like matters.

4 Learned counsels appearing for PTA and the MoIT's representative concede that the matters regarding which the recommendations for placing the petitioners' names on the ECL were made continue to remain *sub judice*.

5 In view of the foregoing, and for reasons to be recorded later, the petitions are **allowed**, and respondents no.1 and 2 are directed to remove the names of the petitioners from the ECL under intimation to this Court within 1 week from today.

(Sardar Ejaz Ishaq Khan)
Judge

Rana M. Iqbal