

JUDGMENT

MOHSIN AKHTAR KAYANI, J.---Through this writ petition, the petitioner has prayed for issuance of direction to the respondents for recovery of his son namely Omer Mateen, who is missing since 02.03.2014 in UAE.

2. Learned counsel for the petitioner has contended that son of the petitioner was working in UAE in Company Rustam Extreme Solutions Dubai 902 Tiffany Tower JLT; that on 02.03.2014 son of the petitioner was sent to bank in the vehicle of the company along with driver Aamir Khan for encashment of two cheques without security guard and after encashment of the said cheques from the bank son of the petitioner did not reach office and went missing and his whereabouts are not known to anyone till date; that the petitioner approached UAE authorities, even the matter was reported to Police Station Pashidya in Dubai but missing son of the petitioner could not be traced; that petitioner's daughter-in-law was also living in Dubai with his son Omer Mateen and on the day of disappearance of her husband, she went to Police Station and lodged report that her husband is missing and the passport was delivered to the police authorities; that the petitioner has approached all the offices including Pakistani Consulate in Dubai, Ministry of Foreign Affairs, Ministry of Interior as well as concerned company in UAE seeking help being citizen of Pakistan for recovery of his missing son but in vain.

3. On 16.03.2018 Masood Gul, Director Gulf Region, Ministry of Foreign Affairs appeared and submitted a detailed report, wherein they have narrated about their efforts for recovery of missing son of the petitioner. As per report, Ministry of Foreign Affairs and UAE authorities are still in search of son of the petitioner Omer Mateen with available DNA sample but till date his whereabouts are not known and Ministry of Foreign Affairs assures that they would continue to pursue the case with UAE authorities and update the petitioner about the information, when the same is received from UAE authorities. Learned Deputy Attorney General has argued that the respondents are making all out efforts for recovery of missing son of the petitioner.

4. I have heard the arguments and gone through the record.

5. From perusal of the record, it has been observed that son of the petitioner namely Omer Mateen was working in UAE in Company Rustam Extreme Solutions Dubai 902 Tiffany Tower JLT. On 02.03.2014 son of the petitioner was sent to bank in the vehicle of the company along with driver Aamir Khan for encashment of two cheques without security guard and after encashment of the said cheques from the bank son of the petitioner did not reach office and went missing. Daughter in law of the petitioner/wife of Omer Mateen also reported the matter to Rashidya Police in Dubai along with details of passport of her husband. The matter was recorded by the police but no proper feedback was given. Contrary to that another complaint was registered against the missing Omer Mateen vide case No.1755/14 for charges of breach of trust by the company in Jabal Ali Police Station, in which the amount was misappropriated. Similarly, another case No.2506/16 in Police Station Rashidya was registered on the charges of intentional burning of car. Similarly the driver Aamir Khan was deported to Pakistan on 22.12.2014 but surprisingly the whereabouts of son of the petitioner Omer Mateen are not known since date of his disappearance. The petitioner has approached the consulate of Pakistan in Dubai, even approached concerned police station but no concrete response has been given by UAE authorities, hence, the petitioner being father of missing person Omer Mateen filed instant writ petition.

6. As per report Ministry of Foreign Affairs and UAE authorities are still in search of son of the petitioner Omer Mateen with available DNA sample but till date his whereabouts are not known and Ministry of Foreign Affairs assures that they would continue to pursue the case with UAE authorities and update the petitioner about the information, when the same is received from UAE authorities.

7. In view of above background, this Court is fully convinced that State is responsible for their citizens in anywhere in the world. Concerned Ministry of Foreign Affairs and Ministry of Interior have to take up the matter with highest offices of UAE authorities regarding missing of Omer Mateen from Dubai. Resultantly, instant writ petition is allowed, Ministry of Foreign Affairs

and Ministry of Interior are directed to make all their efforts to take up the matter with UAE authorities and manage recovery of missing son of the petitioner with the help of Consulate of Pakistan as well as Pakistan High Commission in Dubai. The secretaries Ministry of Foreign Affairs and Ministry of Interior are further directed to write down letter of request to the consulate of UAE at Islamabad as well as UAE authorities on State level to trace whereabouts of missing son of the petitioner Omer Mateen and any such information received from the authorities will be conveyed to the petitioner.

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