

ORDER SHEET
HIGH COURT OF SINDH, KARACHI

C.P. No.D-2285 of 2020

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar.

Mr. Justice Yousuf Ali Sayeed.

Mst. Bisma NoreenPetitioner
Versus

Federation of Pakistan & others.... Respondents

Date of hearing 21.05.2020

Mst. Bisma Noreen, petitioner is present in person.

Mr. Jawad Dero, Addl. A.G.

Mr. Hussain Bhora, Assistant Attorney General.

Rafiq Ahmed Junejo, Section Officer, (Judl-I)

Muhammad Ali Mazhar, J: The petitioner has filed the rejoinder. Copy has been supplied to the learned Addl. A.G. She requests for time to address her argument in opposition to S.O.P formulated by the worthy President of Pakistan with mutual consultation and consensus with Ulemas.

2. Today both learned Addl. A.G. as well as Assistant Attorney General submit that with due consultation of Ulema of all Sects, the SOP was finalized by the President of Pakistan. The learned A.A.G submits that Government of Sindh will apply the same in all mosques and Imambargahs throughout the Province including for Jumma prayers, Shabeena/Taraweeh and the Eid prayers. He further submits that in SMC No.01 of 2020, the directions have been issued by the hon'ble Supreme Court to make a uniform policy with the consultation of National Coordination Committee where the policy matters are being decided.

3. We have noted that in the Lockdown order dated 26.3.2020, the Government of Sindh in exercise of powers under section 3(1) of Sindh Epidemic Disease Act, 2014 (Sindh Act VIII of 2015) decided that only 3 to 5 persons designated for mosque (like Pesh Imam, Moazzin, Care-Taker) will offer Namaz Ba-Jammat and that the General Public will offer their prayers/Namaz at their respective homes as per directions and guidance from the religious scholars. In another Order dated 23.4.2020, the Government of Sindh directed that Taraweeh Namaz/Prayers, being not mandatory/Farz Namaz, shall be offered at home as per sunnah. Similarly, in the Order dated 2.4.2020, the Government of Sindh imposed the restrictions that only 3 to 5 persons designated for mosque (like Pesh Imam, Moazzin, Care-Taker) will offer Namaz Ba-Jammat including Jumma prayer and that the General Public will offer their prayers/Namaz at their respective homes as per directions and guidance from the religious scholars (as per consideration in order No.SO(J-I)/HD/8-1(04)/2020-Corona dated 26.03.2020) with the exception of last rites like funeral, burial etc. while adopting social distance and attending by close family members only and after informing local SHO of area. However, the learned A.A.G clearly stated that restrictions imposed through aforesaid lockdown orders have been lifted and now the S.O.P will be fully implemented.

4. In view of the above position, it is ordered that 20 Points S.O.P formulated and articulated by the President of Pakistan with the consensus of Ulema of different Sects will be followed in letter and spirit in all mosques and Imambargahs. Accordingly, all prayers including Friday, Taraweeh/Shabina and Eid shall be observed in accordance with the conditions jot down in the S.O.P.

At the request of petitioner, adjourned to 09.06.2020.

Judge

Judge