ORDER SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

Writ Petition No. 3552 of 2026

Farooq Mengal
Versus
Federation of Pakistan, etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	08.10.2026	**Ch. Ehsan Majeed Gujjar, Advocate for the petitioner.** **Mr. Arshid Mahmood Kiani Deputy Attorney General.**

Learned counsel for the petitioner, inter-alia, contends that the impugned order dated 21.02.2025 passed by learned Civil Judge Ist Class (West) Islamabad, whereby the petitioner's CNIC has been blocked in connection with execution of a decree for recovery of money, is without lawful authority and jurisdiction. Further submits that blocking of a CNIC is neither a recognized mode of execution contemplated under Order XXI, C.P.C., nor does the Executing Court possess any such power under the NADRA Ordinance, 2000, or any other enabling provision of law. Learned counsel further contends that the impugned action has been taken without issuance of lawful notice to the petitioner and without affording him an opportunity of hearing, thereby offending the guarantees contained in Articles 4, 9, 10-A, 14 and 25 of the Constitution.

2. Heard. Record perused.

3. The controversy raised in the instant petition is no longer *res-integra*. The Hon'ble Supreme Court, while examining the scope of Section 51, C.P.C., in the context of execution of a money decree, has held that although clause **(e)** thereof confers a degree of flexibility upon the Executing Court to adopt such other manner of execution as the nature of the relief granted may require, such general power cannot be extended

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beyond the statutory framework so as to permit a mode of execution having no nexus with the relief granted by the decree. In particular, it has been held that a decree for recovery of money does not permit the Executing Court to direct blocking of the CNIC of the judgment debtor by resort to Section 51(e), C.P.C. The Hon'ble Supreme Court has further observed that a CNIC is not merely a statutory requirement or a matter of convenience, but has, in contemporary life, become essential for a person to conduct his ordinary affairs and to lead a normal life. The exercise of execution jurisdiction, therefore, cannot be so enlarged as to deprive a judgment debtor of such an essential aspect of his life.

4. The above principle squarely applies to the controversy before this Court. The decree sought to be executed against the petitioner is a money decree and, therefore, the Executing Court is required to proceed strictly in accordance with the modes of execution recognized by law. The general power contained in Section 51(e), C.P.C. cannot be invoked to introduce an additional coercive measure which is neither prescribed by the Code nor otherwise sanctioned by law. The blocking of a CNIC, having consequences extending far beyond the execution proceedings themselves, cannot be treated as a permissible mode for realization of a monetary decree merely because the Executing Court is vested with powers to ensure effective execution.

5. It is also significant that the right to possess and use a CNIC has substantial implications for an individual's ability to access public and private services and to conduct ordinary legal, financial and civic affairs. Any restriction upon such an essential identity document, therefore, must have clear and specific

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sanction of law and cannot be founded merely upon an expansive interpretation of a general execution provision. The impugned action, insofar as it seeks to block the petitioner's CNIC for the purpose of securing satisfaction of a civil money decree, is consequently not sustainable in law.

6. Keeping in view the law laid down by the hon'ble Supreme Court of Pakistan in cases titled as ***"****Agha Abid Majeed Khan Vs Idrees Ahmad And Others****"*** reported as (**PLD 2026 SC 280)**, the impugned action/order directing or resulting in blocking of the petitioner's CNIC in connection with execution of the money decree cannot be sustained. The petition is, accordingly, **allowed**. The impugned direction/action for blocking the petitioner's CNIC is set aside, and the concerned authority is directed to forthwith restore/unblock the petitioner's CNIC, if still blocked pursuant to the impugned direction.

7. It is clarified that this order shall not prejudice the decree-holder's right to pursue execution of the decree through any mode permissible under the law, nor shall it affect the jurisdiction of the learned Executing Court to adopt any lawful measure available under the C.P.C. for securing satisfaction of the decree.

(CHIEF JUSTICE)

A.R.Shah"

APPROVED FOR REPORTING

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