

ORDER SHEET

**HIGH COURT OF SINDH CIRCUIT COURT,
HYDERABAD**

C.P No.D-315 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
<u>12.12.2024</u>	Mr. Imdad Ali Memon, advocate for petitioners Mr. Zohaib Hassan Pahore, advocate for respondent(s) Mr. Muhammad Ismail Bhutto, Additional A.G Sindh ***

The petitioners have invoked the jurisdiction of this Court under Article 199 of the Constitution so as to impugn the Order dated 26.10.2023 made by the Anti-Encroachment Tribunal Hyderabad, disposing of Suit No.94 of 2021 filed by the private respondents whilst observing that it lacked jurisdiction to undertake proceedings in terms of the Sindh Public Property (Removal of Encroachment) Act 2010 at their behest. On query posed to learned counsel for the petitioners as to what grievance could conceivably arise from their standpoint under such circumstances, he was at a loss to point out any observation or finding in the impugned Order that was prejudicial to them, but submitted that an application for execution of the Order had since been filed. He argued that the Order did not admit to such proceedings. Be that as it may, a perusal of the petition and the prayers advanced reflects the same to be bereft of any reference to any execution proceedings, which have not been challenged before us. Needless to say, the petitioners ought to contest such proceedings, if any, by raising all relevant objections before the concerned forum. The petition, being misconceived, stands dismissed accordingly.

JUDGE

JUDGE

Sajjad Ali Jessar