

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P No.D-4969 of 2021

Date	Order With Signature Of Judge
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For Direction.

1. For orders on Misc. No.17417/2024.
2. For orders as to maintainability of petition.

27.03.2025

Mr. Qamar Ahmed Shaikh, advocate for the petitioner.
Mr. Iqbal Khurram, advocate for respondent / MDA.
Mr. K.A. Vaswani, AAG.

Vide order dated 23.08.2021, it was noted that petitioner had booked a flat in Malir Development Authority and he was allotted Flat No.E-101 but possession was not handed over to him. He stated that petitioner approached to various authorities for possession of the said flat but all in vain. The Court put him on notice as to how the instant petition is maintainable and notice was issued to the respondents as well as A.G Sindh.

We have heard at length the learned counsel for the petitioner and learned counsel for MDA and it appears that there is a dispute between the parties as to how much amount is yet to be paid by the petitioner to MDA for possession of the said flat. According to learned counsel for the petitioner he has paid the full amount but this position is refuted by learned counsel for MDA and states that an amount of Rs.200,000/- is outstanding against the petitioner. As noted earlier the petitioner states that he has paid the full amount. This is a factual controversy, which cannot decide by this Court in Constitutional jurisdiction and the petitioner has an option to file a Civil Suit, if so advised. The instant petition is dismissed as not maintainable along with pending application.

HEAD OF CONST. BENCHES

JUDGE