

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

IIInd Appeal No.23 of 2016.

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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For katcha peshi.

29.03.2018.

Mr. Zohaib Hassan Associate of Mr. Ashfaque Ali Khaskheli, Advocate for the appellants.

Mr. Wali Muhammad Jamari, Assistant A.G.

Mr. Muhammad Waseem Jamali, Advocate for respondents No.4 to 12.

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Mr. Zohaib Hassan submits that the only purpose of filing this IIInd appeal is that the judgment dated 30.04.2016, passed by the Additional District Judge, Hala, in Civil Appeal No.06 of 2015, is not implemented. The counsel states that the said Court has given direction to Commissioner Hyderabad to have the land in question vacated and secure the interest of the Government thereon as the land is a public property and being misused by private parties. He otherwise was unable to point out any illegally or irregularity in the judgment against which this IIInd appeal has been preferred. The learned counsel admitted that there are other remedies available for securing public property from being encroached by filing appropriate application before the Anti-Encroachment Tribunal or by filing a constitutional petition for preservation of the public property. Counsel affirms that he will take those options and does not press this IIInd appeal, which is accordingly dismissed as not pressed.

JUDGE