

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

C.P.No.D- 366 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
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Present:-

Mr. Justice Muhammad Iqbal Kalhoro.

Mr. Justice Adnan-ul-Karim Memon.

1. For orders on M.A 2069/19
2. For orders on office objection
3. For orders on M.A 2070/19
4. For orders on M.A 2071/19
5. For hearing of main case

25.02.2019

Mr. Altaf Hussain Chandio, Advocate for petitioner.

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1. Granted.

2to6. It is, *inter alia*, contended that the petitioner is owner of land consisting of Survey Nos.114/1to4 [16-00]; 115/1to4 [16-00], 117/1to4 [16-00]; 162/3, 4 [08-00]; 162/1,2 [08-00], 118/1to4 [16-00], situated in Deh Sukhpur Taluka Kazi Ahmed, District Shaheed Benazirabad, and the respondents, who belong to Forest Department, are interfering with his possession and are trying to dispossess him. Alongwith the petition, the petitioner has submitted the photostat copies of Sanads purportedly issued to him by General Pervaiz Musharaf, Chief Executive, Islami Jamhoorya Pakistan, in the year 2001 to claim his ownership of the land

Irrespective of authentication of Sanads, which prima facie is not established, we have found that no document has been submitted to show any impugned action being initiated by the respondents against the petitioner. More so, in our view the controversy raised by the petitioner in this petition about his possession and dispossession is factual in nature and requires evidence for settlement and this court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, cannot enter into such exercise.

Accordingly, this petition, which palpably being without merits is dismissed in limine alongwith applications listed at serial No.3 to 5. The petitioner may however, avail the remedy provided to him under the law.

JUDGE

JUDGE

