

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
C.P.No.S-718 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-1950/19
2. For orders on office objection
3. For orders on MA-1925/19
4. For hearing of main case.

28.08.2019.

Mr. Zohib Mustafa Memon, advocate for petitioner.

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1. Urgency granted.
2. Overruled subject to all just exceptions.
3. Exemption granted.
4. It is contended by learned counsel for the petitioner that the petitioner and his brother are having a house measuring 9000 square feet over survey No.638 of Deh Manjhani, Town Committee New Saeedabad Taluka Saeedabad District Matiari for that a property certificate has also been issued in their favour by town committee New Saeedabad. It is further contended by him that the private respondents despite taking rupees thirty three lacs from the petitioner are threatening him to be dispossessed from the above said house under the pretext that it belongs to them. By contending so, he by way of instant constitutional petition sought for appointment of an officer to conduct an enquiry to ascertain as to for what purpose the private respondents have taken the above said amount from the petitioner.

The contention which is advanced by learned counsel for the petitioner, if is believed to be true, then it makes clear that there is dispute between the petitioner and the private respondents over the sale, purchase and possession of the house, same being issue of fact could not be resolved by this court in exercise of its

constitutional jurisdiction under the garb of appointment of an enquiry officer.

The instant constitutional petition being misconceived is dismissed accordingly without notice to other side.

JUDGE

Ahmed/Pa,