

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No. 452 of 2018

Order with signature of Judge(s)

1. For hearing of CMA No.1692/2017
2. For hearing of CMA No.2474/2018
3. For orders on Nazir Report dated 10.03.2018
4. For orders on CMA No.11259/2018

15.08.2018

Mr. Nadeem A. Pirzada, Advocate for the Plaintiff
Mr. Irfan Bashir Bhutta, Advocate for Plaintiff in Suit No.Nil of 2018
[Mst. Nasreen v. Ali Hassan Brohi and others]
Mr. Danish, Advocate holds brief for Mr. Samiullah Soomro, Advocate for
Defendant No.1
Mr. Ovais Ali Shah, Advocate for Intervenor
Mr. Parvez Ahmed Mastoi, AAG

1. Deferred.
2. Despite notice alleged contemnor is not present. Issue notice to the alleged contemnor through SHO concerned, who to make sure that the alleged contemnor be present on the next date of hearing.
3. Nazir report dated 10.03.2018 is taken on record subject to all just exceptions and objections.
4. Counsel for the Plaintiff and Defendant waive notice and receive copy of the instant Order I Rule 10 application. Learned counsel for Plaintiff seeks time to file his counter. Learned counsel for the Plaintiff submits that despite orders of this Court, construction is in full swing on the site and there is apprehension and real danger of creating third party interests as an outcome of this illegal activity. This Court has already granted interim injunction to the extent that no third party interest be created. Per counsel, this however has not resulted in ceasing construction work taking place on the site.

In these circumstances, when there are rival claims as to the very ownership of the land in question, Nazir is directed at the cost of the Plaintiff by way of interim measure to immediately seal and preserve the suit land and ensure that no construction takes place till further date, until this arrangement is altered by this court relying on the material brought forward on record.

To come up on 28.08.2018. Interim orders passed earlier to continue till then.

JUDGE