

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

C.P. No.D-110 of 2012

DATE	ORDER WITH SIGNATURE OF JUDGE
	1. For hearing of MA 553/12. 2. For hearing of main case

20.02.2020

Mr. Arbab Ali Hakro, Advocate for the petitioners.

Mr. Wali Muhammad Jamari, A.A.G.

-.-.-

This matter is pending since 2012 where a challenge is thrown insofar as the execution of a registered sale deed in terms of prayer 'c' of the petition is concerned. Even in case petitioners are able to convince that their tenancy right under the law is in existence, such right cannot be maintained or granted in presence of a registered instrument which claimed to have been executed illegally and in violation of the rights of the tenants who are in occupation. In case, the petitioners are interested in any of the rights in terms of prayer 'a' and 'b', such is not permissible unless a registered instrument is cancelled which could only be possible through a proceedings on the original side before a civil court after detailed hearing. Mr. Arbab Ali Hakro learned counsel for the petitioners submits that the petitioners would approach the civil court for the redressal of their grievance and would face the consequences. In case, such Suit is filed the issue of limitation may be considered in terms of Article 14 of the Limitation Act, 1908. He submits that he would be filing a fresh litigation in the shape of a suit within four (04) weeks from today. Till such time, the parties to maintain status quo whereafter the learned trial court may decide the application for interim relief as deemed to be fit and proper under the circumstances of the case.

Petition stands disposed of in the above terms along with listed application.

JUDGE

Ali Haider

JUDGE

