

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
C.P.No.D-3315 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
3. For hearing of MA-17659/16
4. For hearing of main case.

07.10.2019.

Mr. Arbab Ali Hakro, advocate for petitioners.

Mr. Allah Bachayo Soomro, A.A.G.

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The petitioners by way of instant constitutional petition have sought for declaration of their ownership with direction against the respondents from interfering with their possession over the shops and houses. Which is objected by the respondents in their respective para-wise comments by submitting therein that the petitioners are not owners but encroaches of the Government land.

It is contended by learned counsel for the petitioners that petitioners being lawful owners of their shops and houses are being dispossessed therefrom by the respondents by undertaking demolish proceedings. By contending so, he sought for acceptance of the constitutional petition as prayed for.

Learned A.A.G has sought for dismissal of the instant petition by contending that it is incompetent.

We have considered the above arguments and perused the record.

Whether, the petitioners are owners of the shops and houses in their possession and they are apprehending their dispossession in shape of demolition allegedly at the hands of the respondents being

issue of the facts involving its adjudication after recording of evidence same as such could not be resolved by this Court in exercise of its constitutional jurisdiction. In these circumstances, it is rightly being contended by learned A.A.G that the instant petition being incompetent is liable to be dismissed. It is dismissed accordingly with an advise to the petitioners to exhaust the remedy for redressal of their grievance before the Civil Court having jurisdiction.

JUDGE

JUDGE

Ahmed/Pa,