

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD  
C.P.No.D-2163 of 2019

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| DATE | ORDER WITH SIGNATURE OF JUDGE |
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1. For orders on office objection
2. For orders on MA-8986/19
3. For hearing of main case.

**20.11.2019.**

Mr. Sajid Ali Soomro, advocate for petitioner.

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1. Overruled.
2. Exemption granted.
3. The petitioner by way of instant constitutional petition has sought for direction against the private respondents not to demolish or dig his landed property without settlement of the compensation.

It is contended by learned counsel for the petitioner that the petitioner is lawful owner of the subject land and it is being utilized by the respondents without settlement of compensation with the petitioner. By contending so, he sought for issuance of the notice against the respondents for regular hearing of the instant petition.

We have considered the above arguments and perused the record.

If, for the sake of argument, it is believed that the petitioner is owner of the subject land and it is being utilized or damaged by the respondents without settlement of the compensation, then such controversy being factual in its nature could not be resolved by this Court in exercise of its constitutional jurisdiction.

Consequent upon above discussion, the instant petition is dismissed in limini.

Needless to say, that the petitioner may exhaust the alternate remedy before the Civil Court having jurisdiction for redressal of his grievance in accordance with law, if so is advised to him.

JUDGE

JUDGE

