

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
C.P.No.D-2279 of 2017

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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-2827/19
3. For orders on MA-2828/19
4. For orders on MA-8469/17
5. For orders on MA-7126/19
6. For hearing of main case.

19.11.2019.

Mr. Mohsin Raza Gopang, advocate for petitioner.
Mr. Kamaluddin advocate for respondent No.2.
Mian Taj Muhammad Keerio, advocate for respondent
No.6.
Mr. Muhammad Ismail Bhutto, Addl:A.G
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The petitioner by way of instant petition has mainly sought for direction against respondents No.1 to 4 to stop the illegal construction over plot No.A-7 measuring 600sq/yd Phase-II SUECHS Jamshoro.

It is contended by learned counsel for the petitioner that the construction is being raised over the subject plot illegally by converting it from residential to commercial, which needs to be stopped by this Court.

Learned A.A.G and learned counsel for the private respondents have sought for dismissal of the instant constitutional petition by contending that the construction is being raised legally and in accordance with law.

Learned counsel for the University of Sindh and its official was fair enough to say that the University of Sindh has got no concern with the instant litigation.

We have considered the above arguments and perused the record.

The locus standi of the petitioner to file the instant constitutional petition before this Court is under cloud. If for the sake of arguments, it is believed that the petitioner is having a right to question the construction on the subject plot then such construction being legal or illegal involving factual controversy could not be resolved by this Court in exercise of its constitutional jurisdiction.

In view of above, the instant petition is dismissed with an advise to the petitioner to have a recourse before Civil Court / any other forum for redressal of his grievance in accordance with law.

JUDGE

JUDGE

Ahmed/Pa,