



(Respondent No.7) are the land grabbers who have encroached upon the said land of petitioners illegally and constructed 313 bungalows.

It is an admitted position that the petitioners have already maintained a Suit bearing No.14/2006 for declaration, cancellation, demarcation, possession, permanent/perpetual and mandatory injunction against the respondent No.7, wherein they are claiming their title and denying the title of respondent No.7 in respect of the subject land. They have also sought a declaration to the effect that defendant No.1 (respondent No.7 in this petition) being a trespasser is not entitled to raise construction on the subject land. As per the learned counsel for the petitioner the said suit is still pending adjudication before this Court on its Original Side and fixed for recording evidence of the parties.

In view of the above, this petition on the same subject matter with disputed facts cannot be entertained by this Court in its Constitutional Jurisdiction, under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 as the same requires recording of pro and contra evidence of the parties which is the domain of the competent civil Court in terms of Section 42 of the Specific Relief Act, 1877. Hence, this petition being devoid of any merit is dismissed in limine, alongwith pending applications.

JUDGE

JUDGE