

## ORDER SHEET

**IN THE HIGH COURT OF SINDH AT KARACHI**

Suit No. 849 of 2017

DATE

ORDER WITH SIGNATURE OF JUDGE

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1. For orders on CMA No.5344/17 (if granted)
  2. For orders on CMA No.5345/17 (U/O 39 Rule 1 & 2 CPC.)
  3. For order on CMA No.5346/17 (U/O 26 R 9 CPC)
  4. For order on CMA No.5347/17 (U/O 39 Rule 9 CPC)
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31.03.2017.Mr. Khawaja Shamsul Islam, Advocate for Plaintiff.  
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1. Granted.
  
2. This is a Suit for Declaration, Injunction, Possession, Directions and Damages. Learned Counsel for the Plaintiffs submits that the Plaintiffs are owners of 12+16 Acres (total 28 Acres) of land in Deh Kharkharo, Tapo Konkar, Gadap Town, Karachi on the basis of Allotment, Ijzatnama and Form-VII entries in the Revenue Record since 1992-1993. He further submits that the plaintiffs are running a Poultry Farm on the 16 Acres of land, whereas, the other 12 Acres is used for cultivation purposes. Per Learned Counsel on 26.03.2017, the defendants No.2,3 & 4 in addition to official Defendants No.5 to 9 came to the Suit Property and have forcefully taken away 8000 chicken birds and have cordoned off the entire property, resultantly, the Plaintiffs access to his property has been denied and they cannot enter the same. He further submits that efforts were made by the Plaintiffs to approach the concerned officials, including the concerned SSP and SHO, but since they are hand in gloves with defendants No. 2 to 4, no action has been taken, hence instant Suit.

Let notice be issued to the Defendants as well as Advocate General Sindh for 14.04.2017. Till the next date, the Defendants No.5 to 9 shall not deny the Plaintiffs, proper access to their Suit Property.

3. Through this application, the Plaintiffs seek inspection of 16 Acres of land in Na-Class No.249, Deh Kharkharo, Tapo Konkar, Gadap Town, Karachi on the ground that the defendants have unauthorizedly and unlawfully blocked the access of the Plaintiffs to the Suit Property. In the circumstances, application is allowed. Nazir is directed to inspect the Suit Property without notice to the Defendants within three days. Nazir's fee is settled at Rs.50,000/-, which shall be paid by the Plaintiffs. Nazir shall take photographs and shall be authorized to have all assistance, including assistance from law enforcement agencies, if so needed.

4. Notice.

J U D G E

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