

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

C.P. No.D-2372 of 2021

Date	Order with signature of Judge
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1. For orders on office objection No.31.
2. For orders on CMA No.10205/2021.
3. For orders on CMA No.10206/2021.
4. For hearing of main case.

19.04.2021

Mr. Ghulam Qadir, in person

The petition seeks to assert purported title in respect of immovable property, being aggrieved by a final notice for removal of encroachment upon irrigation land dated 12.11.2020 (“Impugned Notice”); hence, this petition.

It was pointed out to the Court that the subject matter of this petition was agitated before this Court in CP D 1925 of 2021, which was dismissed *in limine* vide order dated 29.03.2021.

It was also observed that the petitioner neither appeared in person nor was represented via counsel. Instead Mr. Ghulam Qadir, claiming to be a son of the petitioner and petitioner himself in the earlier CP D 1925 of 2021, appeared and sought to argue the *lis*.

In such context, Mr. Ghulam Qadir was confronted at the very onset as to how this subsequent petition on the same subject matter was maintainable and how he could be permitted to advocate the purported grievance of the petitioner. Mr. Ghulam Qadir remained unable to provide any justification whatsoever.

Notwithstanding the foregoing, it is trite law that the writ jurisdiction of this court is not amenable for resolution of disputed questions of fact, requiring detailed inquiry and evidence¹. No rationale was articulated before us as to why any purported grievance

¹ 2016 CLC 1; 2015 PLC 45; 2015 CLD 257; 2011 SCMR 1990; 2001 SCMR 574; PLD 2001 Supreme Court 415.

with respect to title or possession of immovable property was not escalated before the court of competent jurisdiction.

In view of the reasoning and rationale herein contained, we are of the considered view that this petition is misconceived and even otherwise no case for the exercise of extra ordinary Constitutional jurisdiction by this Court is made out, hence, this petition, along with pending application/s, is hereby dismissed *in limine*.

JUDGE

JUDGE

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