

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI
CP.No.D-5265 of 2021

Date: Order with signature(s) of the Judge(s)

1. For orders on Misc. No.21975 of 2021 (U/A).
2. For orders on Misc. No.21976 of 2021 (Ex/A).
3. For hearing of main case.

06th September 2021

Ms. Fauzia Munir, advocate for petitioner.

Through instant petition, the petitioner has prayed that:-

- (a) Direct the respondents to take steps for handing over of possession of Flat No.1, KMC Staff Flats, Hadi Market, Nazimabad No.4, to the petitioner.
- (b) Direct the respondent No.6 to vacate the premises in question and hand over vacant peaceful possession to the petitioner as the allotment of respondent No.6 has already been cancelled;
- (c) Direct the respondent No.4 to take immediate steps for vacation as well as possession of the premises in question;
- (d) Award Costs;
- (e) Any other relief (s) under the circumstances of the case, in favour of the petitioner and the Hon'ble Court may deem fit.

Since the petitioner is seeking possession of an allotted accommodation, according to the petitioner she is entitled to receive the possession instead of respondent No.6, who has occupied the same illegally. This is a factual controversy, hence, consequential relief can be sought through Civil Court. Accordingly, instant petition stands disposed of alongwith listed applications. Petitioner would be competent to approach Civil Court.

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