

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No. D-4028 of 2020

Tanwir Jamshed

Versus

Muhammad Hanif, & others

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

*BEFORE: Justice Irfan Saadat Khan,
Justice Muhammad Faisal Kamal Alam, JJ*

1. For hearing of CMA No.15167/2021 (stay)
2. For hearing of CMA No.16907/2020 (stay)
3. For hearing of CMA No.16908/2020 (18 Rule 18)
4. For hearing of Main case

16.09.2021

M/s. Salman Mirza, & Saifullah, advocates for the petitioner.

Mr. Muhammad Ilyas Tanoli, advocate for Respondent No.1.

Mr. Miran Muhammad Shah, Addl. A. G. Sindh for Respondent No.6, 7, 8, 9 & 11.

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The instant petition has been filed on the ground that fresh demarcation of the land admeasuring 5-acres from Naiclass No.240 Deh Konkar, District Malir, Karachi be carried out. Petitioner states several applications were given to the Mukhtairkar in this regard but when no heed was paid thereafter the instant petition has been filed. The counsel for the petitioner, at the very outset, stated that he would be satisfied and would not press this petition if directions are issued to the concerned Mukhtairkar (Malir) Gaddap Town, to carry out the demarcation of the above referred land strictly in accordance with law, after providing opportunity of hearing to the affected parties. Learned AAG states that it is the function of the Mukhtairkar / Revenue Authorities to carry out demarcation process in accordance with law and relevant Rules, subject to furnishing of application to him. Counsel appearing for the private Respondent, however, has shown some

apprehension with regard to the demarcation which is to be carried out / conducted by the concerned Mukhtairkar.

We have heard all the learned counsel at some length and have also perused the record.

We are of the view that there is no impediment in directing the Mukhtairkar to carry out the demarcation of the above referred land strictly in accordance with law and relevant Rules, after providing opportunity of hearing to the affected parties. We therefore, direct the Mukhtairkar concerned to carry out the demarcation process and furnish his report with the MIT-II of this Court within one month's time. With these directions the instant petition alongwith all the pending and listed applications stands disposed of.

JUDGE

JUDGE

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