

ORDER SHEET
**IN THE HIGH COURT OF SINDH, CIRCUIT
COURT, HYDERABAD.**
C.P.No.D-546 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections.
2. For hearing of MA-2686/2020
3. For hearing of main case.

15.10.2020.

Mr. Muhammad Yousuf Laghari, advocate for petitioners.
Mr. Allah Bachayo Soomro, Addl.A.G.

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The primary consideration as far as the grounds in this petition pleaded are that the petitioners were condemned unheard. At the very outset, petitioners' counsel submits that a notice of vacation was issued without (i) any notice, (ii) any order for the cancellation of allotment of the subject bungalows. When confronted, learned A.A.G submits that they are occupying these bungalows un-authorizedly and counsel also is relying upon order of the Hon'ble Supreme Court, whereby the unauthorized occupation of quarters were ordered to be dealt with in accordance with law; however, along with the comments no notice of hearing is attached.

Prima facie it appears that the petitioners were condemned unheard. In so far as the defence on merit is concerned, we would not like to comment as this would prejudice the case of either petitioners or respondents. The petitioners may contest this notice with all defences that they have pleaded in this petition. It is expected that the authorized officer (Deputy Commissioner Hyderabad) shall hear the petitioners in accordance with law and pass order in detail as required in terms of Section 21 of the General Clauses Act 1897 and a compliance report be filed preferably within two weeks after receipt of copy of this order. It is expected that the petitioners shall be heard in accordance with law on Monday i.e. on 19.10.2020 at around 12:00 Noon at the office of the Deputy Commissioner, Hyderabad on whose behalf impugned notice as Annexure-C at pag-25 of the petition was issued. With these observations this petition is allowed only to above extent and is disposed of along with the pending application.

JUDGE

JUDGE