

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

SUIT NO.2260/2017

Date	Order with signature of Judge
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16.11.2021

Malik Altaf Hussain advocate
Mr. Ziaul Haq Makhdoom advocate
Mr. Abdul Jabbar Lakho advocate

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Partly heard learned counsel for plaintiff. He has referred page 55 with regard to proposed summary to chief minister Sindh to establish a park on the subject matter land wherease plaintiff is claiming ownership through one Ghulam Abbas Gabol whereas summary states that Muhammad Ilyas Gabol has approached for park and road leading to the Girls' Degree College. Document at page 39 reflects that original owner, whereas plaintiff has not joined him as plaintiff or defendant.

Accordingly, learned counsel for plaintiff is put on notice to satisfy the maintainability of this suit whereas learned A.G. Sindh shall place on record recent status of summary as prepared to establish the Park and to construct road leading towards the college. Further, page 97 reflects funds allocated for the construction of 100' wide road and Shaheed Benazir Bhutto family park KDA scheme No.33, Gulzar e Hijri, Karachi. Reference can be made to order dated 22.09.2021 passed by Supreme Court of Pakistan in the case of *Naimatullah Khan advocate vs. Federation of Pakistan, etc.* (CP No.9/2010) and other connected cases.

Besides, Mr. Ziaul Haq Makhdoom contends that he has filed suit No.1598/2013 which is pending before this court. Office shall fix the same alongwith present suit. Under these circumstances, interim order is recalled and mater is fixed for hearing on maintainability of suit.

To come up on 25.11.2021.

J U D G E

