

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD

C.P. No.D-1953 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
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Before:

Mr. Justice Muhammad Shafi Siddiqui.
Mr. Justice Irshad Ali Shah.

1. For orders on M.A. No.7447/2022.
2. For orders on office objections.
3. For orders on M.A. No.7448/2022.
4. For hearing of main case.

02.06.2022

Petitioner present in person.

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Urgency is granted.

The petitioner by way of instant petition has sought for removal/demolition of the newly constructed road from Kanhar Mori to village Ali Nawaz Shar, mainly for the reason that it is having illegal and unlawful culverts. The objection with the petitioner with regard to the culverts, if any, with the subject road was to have been raised by him at the very initial stage and not at the time when the very construction of the subject road has been completed. In that situation, the ordering removal/demolition of newly constructed road would be unjustified. The dispute so advanced even otherwise is involving factual controversy, same could not be resolved by this Court in exercise of its writ jurisdiction. Consequently, the instant petition being misconceived is dismissed in *limine* together with the listed application.

J U D G E

J U D G E

Muhammad Danish*