

ORDER SHEET

THE HIGH COURT OF SINDH, AT KARACHI

C.P. No.D-3101 of 2020

Date

Order with signature(s) of Judge(s)

1. For orders on CMA No.19777/2020
2. For orders as to maintainability of instant petition.

30.09.2020

Mr. Altaf-ur-Rehman Bughio, Advocate for the Petitioner.

Mr. Abdul Jaleel Zubedi, Assistant Advocate General, Sindh.

1. Urgency granted.

A Suit for Specific Performance allegedly is pending adjudication in the Court of Ist Senior Civil Judge, Malir Karachi. Petitioner claims to have purchased from respondent No.5, whose title is not disclosed. He is not even in a position to describe the title of respondent No.5. There is order of 3rd Additional Sessions Judge Malir Karachi, passed in Illegal Dispossession Application No.11 of 2016 where after inquiry, it come to light that transfer letter dated 16.03.2012, acknowledgment of possession dated 07.09.2009, payment slips, allotment letter in the name of Mst. Sabila Aijaz were found genuine. The verification report of plot No.R-95 issued to the General Secretary of Pink City Plot Holder Welfare Association was verified through SHO concerned.

In the light of these circumstances, application of Illegal Dispossession was considered lawful and allowed. The petitioner is unable to demonstrate as to how he is in possession through respondent No.5, whose title is not disclosed. The petition being misconceived is hereby **dismissed** along with listed application with costs of Rs.10,000/- [Rupees Ten Thousand only], to be deposited in the account of Sindh High Court Clinic.

J U D G E

J U D G E

Faizan/PA*