

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
C.P.No.D- 1618 of 2021

Date of hearing	Order with signature of Judge.
-----------------	--------------------------------

Fresh Case

- 1.For orders on CMA 7829/21
- 2.For orders on o/objection
- 3.For orders on CMA 7830/21
- 4.For hearing of Main Case

16-11-2021

Irshad Ali, the Petitioner present in person.

1. Granted.

2 to 4. We have heard the Petitioner and perused the record. On perusal of record, it appears that the Petition is not maintainable due to the fact that the Petitioner has already approached the Anti-Encroachment Tribunal, Sukkur, who has passed an order, which has not been impugned any further. Even otherwise, from perusal of the order of which the implementation is being sought, it appears that grievance of the Petitioner as a public interest litigant stands duly satisfied. We may observe that this Constitutional Court is not an Executing Court for the purposes of an order passed by the Anti-Encroachment Tribunal. In fact, the appropriate remedy is by way of approaching the very Court who had passed an order in favor of the Petitioner. Once the Petitioner has exercised his option of availing any remedy in terms of the prevailing law from a Court of competent jurisdiction, and who has already passed an order, apparently in Petitioner's favor; then approaching this Court under Article 199 of the Constitution for implementation and or execution of such an order is

totally unwarranted and amounts to sheer wastage of precious time of this Court.

In view of such position, this petition is not only misconceived, but is an attempt to waste the precious time of this Court, therefore, this Petition stands dismissed in limine with pending applications.

JUDGE

JUDGE

Ahmad