

ORDER SHEET  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**SUIT NO.1809 of 2018**

DATE

ORDER WITH SIGNATURE OF JUDGE

- 1) For orders on CMA No.13623/18 (if granted)
- 2) For orders on CMA No.13624/18 (U/O 39 Rule 1 & 2 CPC)
- 3) For orders on CMA No.13625/18 (U/O 39 Rule 1 & 2 CPC r/w Section 94 (e) CPC)

**28.09.2018**

Ms. Nehl Chamdia, Advocate, for Plaintiffs.

- 1) Granted.
- 2) This is a Suit for Declaration and Permanent Injunction. Learned Counsel for the Plaintiffs submits that the Plaintiffs in this Suit are residents of Old Clifton, KDA Scheme No.5, Karachi and have challenged the illegal conversion and usage of property bearing Plot No.62, Hatim Alvi Road, Old Clifton, Karachi for commercial and illegal amenity purposes by establishing a School. Learned Counsel submits that the entire area is residential, whereas, the Defendant Nos.7 & 8 have established a School in the Suit premises, which is grave cause of inconvenience to the Plaintiffs in particular and the public in general. She submits that though the School is already operating illegally on the Suit premises, but recently, it is going under expansion at a very fast pace. Per learned Counsel the regulating authorities have been approached time and again, but all in vain. According to the Learned Counsel earlier also in various pending Suits ad-interim orders have been passed in similar circumstances, and she has referred to such orders available from Page 103 onwards. She prays for a similar relief.

Let notice be issued to the Defendants as well as Advocate General for **19.10.2018**. Till the next date of hearing, the Defendant No.7 & 8 are restrained from using the property in question for any purpose other than as provided in the Lease documents of the property in question.

- 3) Notice for 19.10.2018.

**J U D G E**

Ayaz