ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

SUIT No. 687 of 2003

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For hearing of CMA No.2985/16 (U/O 39 Rule 2 (3) r/w section 3 & 4)
2. For hearing of CMA No.735/16 (U/O 18 Rule 18 CPC)
3. For hearing of CMA No.14457/14. (U/S 151, U/O 39 Rule 1 & 2 CPC.)

17-03-2016

Mr. Muhammad Ikram Siddiqui, Advocate for the plaintiff.
Mr. Abdul Wajid Wyne, Advocate for the defendant.
Mr. Shamsher A. Khan Azeemi, State Counsel.

1. Counsel for the plaintiff does not press this application for the time being, which is accordingly dismissed as not pressed.

2. Through this application, the plaintiff seeks inspection and demarcation of his land on the ground that the defendants have encroached upon his land. It appears that earlier vide order dated 18.7.2000 passed in Execution Application No. 115 of 2000, the land was demarcated by the Nazir of this Court vide report dated 2.9.2000. On 29.9.2003 another request for inspection was made on behalf of the Plaintiff which was allowed by consent of the parties and Nazir had furnished his report dated 29.10.2003. Thereafter once again on 08.11.2004, a similar application was moved on behalf of the plaintiff in this Suit, whereupon the Nazir was directed to inspect the Site that as to whether the earlier demarcation conducted by him on 29.10.2003, pursuant to Judgment and Decree in Execution No.115/2000, and earlier demarcation dated 2.9.2000 is intact or not. Thereafter Nazir had furnished his report dated 06.12.2004, whereby, he had confirmed that the demarcation already conducted by his office on 19th and 20th August, 2000 in Execution Application No.115/2000 is intact and has not been removed by any one. In the circumstances, no case for any further inspection or demarcation is made out; hence this application is misconceived and is accordingly dismissed.

3. Adjourned.

J U D G E

Ayaz