Date	Order with signature of Judge

<u>D/o matter:</u>

1. For orders on CMA No.27749/20 (Urgent/App)
2. For hearing of CMA No.26566/20 (12(2)
3. For hearing of CMA No.26567/20 (151)

<u>18.12.2020.</u>

        Mr. Muhammad Shahid Qadeer, Advocate for the applicant /intervener.
        Mr. Miran Muhammad Shah, Addl. Advocate General Sindh **(AAG)** for the respondents No.1 and 4 to 6.
        Mr. Altaf Ahmed Seher, Advocate for the respondent No.2/KDA
        Mr. M. Mohsen Khan, Advocate for the respondent No.3/KMC.

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1.   Urgency granted.

2&3.   Through these applications the applicant /intervener has requested for setting aside of the order dated 01.12.2020.

        Mr. Muhammad Shahid Qadeer, Advocate, is present and states that the applicant /intervener apprehends that under the garb of the order dated 01.12.2020 the respondents might demolish the Plot bearing No.6/2/1, measuring 320 square yards, situated in Sheet No.PRII, Preedy Quarters, Saddar Town Colony, Karachi and therefore the order dated 01.12.2020 may be set-aside.

        The counsel representing the respondents, while opposing the instant applications, state that the present applications are wholly misconceived as no documentary evidence is available with the applicant /intervener to prove that the respondents have the intention to do any illegal act which is not being provided in the order dated 01.12.2020.

        We have heard all the learned counsel at some length and have also perused the record.

        It is noted that in the order dated 01.12.2020 it was simply observed that the Deputy Commissioner South may take legal action if there is any illegal

construction or encroachment being carried out on the public road in the areas falling under his jurisdiction. We have failed to understand as to how the applicant /intervener is aggrieved by the said order, for if the applicant /intervener has not made any such illegal construction or encroachment, this order would not prejudice him. These two applications, thus, are found to be misconceived and are accordingly dismissed.

JUDGE

JUDGE