

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-4484 of 2019

Date	Order with signature of Judge
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For orders as to maintainability

16.11.2020.

Khawaja Muhammad Azeem, Advocate for the petitioner.

The instant petition has been filed on the ground that the respondents No.4 and 5 used to visit the land of the petitioner and issue threats that they will demolish whatever construction is raised by the petitioner.

During the course of the arguments it revealed that a Civil Suit bearing No.1520 of 2018 on the same prayer has also been filed by the petitioner before Xth Senior Civil Judge, Karachi (Central), which is pending adjudication. The counsel was asked that how the petitioner can file a suit as well as the petition on similar prayers, no plausible explanation is available with him, except by saying that this is a petition for prohibition as well as mandamus.

Be that as it may, since the suit on admittedly identical prayers has already been filed, which is pending adjudication, before the Court of Xth Senior Civil Judge, Karachi Central, in Civil Suit No.1520 of 2018, the petitioner cannot be allowed to travel simultaneously on two boats, which on the face of it seems to be illegal and uncalled for. We, therefore, under the circumstances do not find any merit in the instant petition, which along pending application(s), if any, is dismissed in limine. The petitioner, however, would be at liberty to pursue his matter in accordance with law before the Judge before whom he has already filed a suit.

JUDGE

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