

ORDER SHEET

HIGH COURT OF SINDH AT KARACHI

HCA No.52 of 2020

Date Order with signature of Judge

1. For orders on CMA No.351/2020 (U/A)
 2. For orders on office objection a/w reply as at "A"
 3. For orders on C.M.A No.352/2020 (Ex/A).
 4. For hearing of main case
 5. For orders on C.M.A. No.353/2020 (Stay)
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03.02.2020.

Mr. Muhammad Noman Jamali, advocate for the appellant.

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1. Urgent application granted.
 2. Office objections to be removed within three days.
 3. Exemption is granted subject to all just exceptions.
- 4&5. Learned counsel states that the respondent No.1 being the plaintiff filed suit bearing No.2498/2014 for declaration and injunction against the respondents No.2&3 for seeking directions from the Court to restrain the respondent No.3 from restricting the respondent No.1 (Plaintiff) from accessing the subject property. Learned counsel states that thereafter the present appellant was also made a party in the instant matter. He further states that vide impugned order dated 20.1.2020 the learned Single Judge has directed to remove boundary wall which has blocked the appertaining road without considering the fact that it was not the appellant who has extended the boundary wall rather than it was the respondent No.3 who extended the said boundary wall. Learned counsel stated that before passing such order proper facts were to be ascertained and taken care of and thus according to him, the said order is prejudicial to the appellant. Let in the first instant, notice be issued to the respondents as well as A.G. Sindh for 25.2.2020. Till the next date of hearing parties are directed to maintain status quo.

JUDGE

JUDGE