

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
C. P. No. D-3983 of 2023

Date	Order with signature of Judge
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FRESH CASE.

1. For orders on Misc. No.18403/2023.
2. For orders on Misc. No.18404/2023.
3. For hearing of main case.

24.08.2023.

Chaudhry Sajjad Ali, Advocate for the Petitioner.

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**YOUSUF ALI SAYEED, J. -** The Petitioner professes to be the owner of a plot of land bearing No.R-0167, Sector No.22, Scheme No.01, New Malir Housing Project, Karachi, admeasuring 100 sq. yards and in that capacity has invoked the jurisdiction of this Court under Article 199 of the Constitution, seeking compensation for damages allegedly caused to the aforesaid property and structure raised thereon during monsoon flood in the year 2022. In support of his claim, the Petitioner has relied upon certain letters issued by the Mukhtiarkar, Bin Qasim, District Malir and Assistant Commissioner, Bin Qasim, District Malir, Karachi, both dated 09.12.2022.

Having examined the matter, we have observed that the Petition is itself bereft of any material particulars as to the nature of damage and any scope of quantification of loss. Furthermore, the letters relied upon by the Petitioner are vague and general in nature and do not mention any address or particulars of the property, let alone specifying the nature of the damage sustained, if any. Nor has the Petitioner cited any particular rules, regulation and policy by which any vested right has

been created in his favour. Even otherwise, the nature of the claim sought to be advanced does not present a fit case for issuance of a writ under Article 199 of the Constitution and if the Petitioner seeks compensation he may avail his remedy through a civil proceeding, if so desired.

That being so, we are of the view that the Petition is misconceived. Hence, while granting the application for urgency, we hereby dismiss the Petition *in limine*, along with the other miscellaneous application.

JUDGE

CHIEF JUSTICE

MUBASHIR