

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI**

C.P. No.D-1926 of 2024

Dr. Raj Ashok Motwani  
Versus  
Shri Mahant Bawa Babu Lalgir & others

Date	Order with signature of Judge
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1. For orders on CMA 9477/24
2. For orders on CMA 8674/24
3. For orders on CMA 8675/24
4. For hearing of main case.

**Dated: 07.05.2024**

Mr. Anil Kumar Sharma for petitioner.

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Brief facts leading to the filing of this appeal are that the suit for declaration and injunction was filed and that suit No.1703 of 2000 which at one point in time was withdrawn. Later in time application for withdrawal of rent was moved which was dismissed however the revisional Court has remanded it and in second round of litigation the application was again dismissed by the trial Court however this time the revisional Court in Civil Revision No.87 of 2012 allowed such application by order dated 12.09.2020 in terms whereof respondent No.1 was directed to return certain amount. It is this direction that petitioner sought to be complied with via application under section 151 CPC in Civil Revision No.87 of 2012, which was dismissed via impugned order.

At the very outset we inquired from the learned counsel as to what interest the petitioner has insofar as the subject property or the rent, that is subject matter of impugned order, is concerned, to which he stated that he belongs to the Hindu community. He further submits that a suit is also pending before this Court as Suit No.920 of 2022 wherein he (petitioner) along with other plaintiffs have sought a

“negative declaration” that the defendants therein were not the trustees/managing trustee of Wado Akhara Trust and further that the said Trust is without trustees/Managing Trustee.

The two suits have no nexus with each other and secondly he has not shown any interest over the property and/or rent which may give a legitimate right to the petitioner to seek remedy in that regard. Moreover the aforesaid suit, though has no nexus with the present controversy, seeks negative declaration which has its own consequences.

In view of above, no interference is required to upset the order as impugned in this petition and consequently the petition being misconceived is dismissed along with listed applications.

**Judge**

**Judge**