

THE HIGH COURT OF SINDH KARACHI

Present:
Mr. Justice Adnan Iqbal Chaudhry &
Mr. Justice Jawad Akbar Sarwana.

High Court Appeal No. 253 of 2024

[The S.I.T.E. & another v. Nayab Haider]

Appellant : The Sindh Industrial Trading Estate Limited and another through M/s. Faheem-ud-Din Shaikh and Lubna Eijaz, Advocates.

Date of hearing : 27-08-2024

Date of order : 27-08-2024

ORDER

Adnan Iqbal Chaudhry J. - 1] Urgency granted. 2] Exemption granted subject to all just exceptions.

3-4] The Appellants are Defendants in Suit No. 1956/2023 on the original side of this Court and have appealed an interim order dated 30-05-2024 passed by the learned Single Judge restraining the Appellants from interfering with the construction being carried out by the Respondent/Plaintiff. Learned counsel submits that the interim order was not merited on the facts of the case; however, concedes that he has yet to demonstrate the same before the learned Single Judge. Suffice to state that no question is raised to the jurisdiction of the Single Judge to pass an interim order, and therefore the submissions being made before this Court in appeal can well be made before the learned Single Judge, who has jurisdiction to modify the interim order. In this view of the matter, we are not inclined to interfere with the discretion exercised by the learned Single Judge. Therefore, the appeal is dismissed alongwith pending application(s).

JUDGE

JUDGE

SHABAN*