

Order Sheet

IN THE HIGH COURT OF SINDH AT KARACHI  
High Court Appeal No.423 of 2023

(Muhammad Hanif and another Versus  
Board of Revenue Sindh and others)

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| DATE | ORDER WITH SIGNATURE OF JUDGE |
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**Present:**  
**Mr. Justice Muhammad Shafi Siddiqui**  
**Mr. Justice Omar Sial**

Hearing Case (Priority)

- 1.For order on office objection/ reply at "A"
- 2.For hearing of main case.
- 3.For hearing of CMA No.5357/2023 (stay)

**28.02.2024**

Mr. Salahuddin Ahmed, Advocate for Appellants  
Mr. Zia-ul-Haq Makhdoom, Advocate for Respondent No.4  
Mr. Sandeep Mallani, Asst. AG

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It appears that the parties are at dispute over a land since long as previously a suit No. 1105/2023 was filed wherein status quo order is being maintained. Subsequently another suit No.1807/2023 was filed wherein impugned ad-interim order of mandatory nature was passed. The appellants are aggrieved of it that it could not have been passed at that point in time as an ad-interim measure and earlier the parties already ordered to maintain status quo. This mandatory injunction, additionally argued by counsel, as an ad-interim measure cannot be granted to the respondents to raise boundary wall under the supervision of Nazir of this Court.

Mr. Makhdoom, learned counsel stresses upon verification of title which we are not inclined to at this point in time. We are more concerned about the mandatory nature of ad-interim order passed which has enabled the respondent to raise the boundary wall around, under the supervision of Nazir of this Court.

We would observe that the parties should maintain the status quo, as ordered earlier, however, the right to raise the construction of boundary

will be taken into consideration while deciding the injunction application, if the principles of mandatory injunction so required and/or to pass any appropriate order.

With the above observations, this appeal is disposed of along with listed application.

J U D G E

J U D G E

*Ashraf*