

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P No. D – 2146 of 2024

Date of hearing	Order with signature of Judge
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Hearing of case

1. For orders on office objection at flag 'A'
2. For hearing of CMA No.7880/2024 (S/A)
3. For hearing of main case

24.12.2024

Mr. Muhammad Qayyum Arain, Advocate for the Petitioners
Mr. Ziaul Haque Kamboh, Advocate for respondent No.4
Mr. Ahmed Ali Shahani, Assistant Advocate General Sindh

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Through this Constitutional Petition, the petitioners have averred that their father, brothers and sisters were owners of the property situated at Peer Sher Shah Road, Mehrabpur granted to them by Settlement Department, Nawab Shah. The petitioners' father had purchased share of his brothers and sisters through registered sale deed No.808 dated 30.05.2007, besides he was also having possession of the plot which was adjacent to the property of the petitioners. The official respondents issued rent bills to the father of the petitioners and later official respondents filed Civil Suit No.09 of 2004 which was decreed in their favour. The father of petitioners filed Civil Appeal No.60 of 2008 which too was dismissed under mutual consent. At this juncture, petitioners are seeking relief against the issuance of rent bills besides possession of the shops and construction costs etc. The averments shown in preceding paragraphs of the petition requires evidence for which this Court being barred by Article 212 of the Constitution of Islamic Republic of Pakistan, 1973, is not competent to record evidence. The petitioners in spite of filing rent application before the Rent Controller have maintained this petition which in view of above factual position cannot be entertained to. Accordingly, and in view of above admitted controversy the petition in hand being devoid of its merits is not maintainable, consequently it is hereby dismissed along with listed applications.

Judge

Judge