

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

C.P No.D-4631 of 2024.

Date: Order with signature(s) of the Judge(s)

Fresh Case.

1. For Orders on Misc. No.20517/2024.
2. For Orders on Office Objection No.1.
3. For Orders on Misc. No.20518/2024.
4. For Orders on Misc. No.20519/2024.
5. For Hearing of Main Case.

26th September, 2024.

Mr. Naveed Ahmed Abbasi advocate for the Petitioner.

1. Urgency granted.
2. Overruled.
3. Exemption application is granted subject to all just exceptions.

4-5. Admittedly on same issue CP No.D-1486/2022 was filed which reflects that there are occupants as well as by order dated 06.05.2024 petition was disposed of with direction to the Intervener that they may file application with SBCA and fate shall be decided in accordance with law. However, on fresh cause of action Petitioner was allowed to file fresh petition. According to counsel Respondent failed to regularize the same. On the contrary, they raised construction as well as rebuilt the demolished portion. Since issue as reflected pertains to civil jurisdiction as occupants cannot be removed without adjusting in any other place or compensation. Beside, Petitioner has remedy to file Appeal against any illegality before the Authority of SBCA.

In view of above, instant petition is dismissed.

JUDGE

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