

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Cr. Misc. Appl. No.276 of 2019

Date	Order with signature of the Judge
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Priority case

1. For order on office objections
2. For hearing of main case.

14.10.2024.

Mr. Sami Ahsan, Advocate for applicant.

Ms. Amna Ansari, Addl. P.G.

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MUHAMMAD IQBAL KALHORO J: Applicant has challenged an order dated 04.01.20212 passed in Cr. Compliant No.50/2011 u/s 7 of Illegal Dispossession Act, 2005, whereby Nazir was directed to put the complainant into interim possession of subject plot No.A-156 measuring 240 Sq. Yds, Block 10, KDA Scheme 36, Gulistan-e-Johar, Karachi.

Learned counsel for applicant has argued that the applicant is owner of the property and this direct complaint has been filed without making him party in the case. However, he has not produced any record to show that the applicant is the owner of the subject plot. On the other hand, impugned order shows that due inquiry was conducted by the trial court to verify ownership of the plot which transpired in favour of the complainant. Reports from relevant quarters including City District Government, Karachi Land Management Department were also called by the trial court that had verified the said plot to be owned by the complainant. Learned counsel has failed to point out any illegality in the impugned order and further has not satisfied the court as to why he has directly approached this court without moving proper application before the trial court to be impleaded as a party. This being the position, I do not find any merit in this application, which is accordingly dismissed.

The Cr. Misc. Application stands disposed of.

JUDGE