

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P.No.D-1118 of 2023

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

- 1.For order on CMA No.7738/2023
- 2.For order on CMA No.5264/2023
- 3.For hearing of main case.

20.02.2025

Ms.Arjumand Khan and Mr.Muhammad Jehangir, Advocates for the
Petitioners.
Mr.Sandeep Malani, A.A.G.

The prayer reads as follows:-

“(i) Direct the Government functionaries and authorities to facilitate and fulfill their obligations towards the petitioners/residents by removing the illegal encroachment from the land of the Society and ensure right of way for the residents without any hindrance and interruption.

(ii) Direct the Respondent No.1 to 6 to provide protection to the :Petitioners and ensure that no harassment will be caused to the Petitioners, their relatives, supporters and well-wishers.”

(iii) Direct the Respondent No.7 to 15 not to cause harassment of any kind to the Petitioners, their relatives, supporters and well-wishers by themselves, through their servants, henchmen, relatives and colleagues in any manner whatsoever.”

So far as the prayer clause (ii) and (iii) are concerned, they are prima facie misconceived in view of the Division Bench judgment of this Court reported as PLD 2019 Sindh 168. So far as the prayer clause (i) is concerned, learned counsel for the petitioners is unable to demonstrate as to whether prior adequate remedy was availed before approaching this Court in exercise of writ jurisdiction.

In view hereof, this petition is found to be misconceived, hence, dismissed.

Judge

Judge