

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-2323 of 2024

Date	Order With Signature Of Judge
------	-------------------------------

For order as to maintainability of petition
13.02.2025.

Mr. Azhar Ali Shaikh, advocate for petitioners.
Mr. Salman Ansari, advocate for MDA.
Syed Hussain Shah, Assistant Advocate General.
Mr. Altaf Ahmed Sahar, Assistant Attorney General.

Petitioners claim to be owners of certain plots situated in Scheme-25-A, Block No.16-A, Shah Latif Town, Karachi and have filed this petition against respondents seeking direction to them do not interfere in their ownership and further to demarcate the entire land. In the course of arguments, it has transpired that some of the petitioners have already filed a suit seeking declaration of their title over the properties, which have been decided as per claim of learned counsel, in favour of the petitioners. In presence of a decree and the fact that in a Constitution Petition no factual controversy can be sorted out, as it requires evidence, we find this petition not maintainable and dismiss the same accordingly. However, this order shall not prejudice the right of the parties on the subject matter, if any, pending before the Civil Court.

The petition is accordingly disposed of in above terms.

JUDGE

JUDGE

HANIF