

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**CP No. D-6312 of 2023**

*(Iftikhar Ahmed v. Province of Sindh & Others)*

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**DATE:** **ORDER WITH SIGNATURE(s) OF JUDGE(s)**

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1. For Orders on Office Objection
2. For Hearing of CMA No. 29451 / 2023 (Stay App)
3. For Hearing of Main Case

**15-4-2025**

Mr. Aurangzeb, Advocate for Petitioner  
Mr. Raheel Samsam Ali Khan, Advocate for Respondent No.2  
Mr. Pervez Akhtar Mastoi, AAG Sindh

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1. **Sana Akram Minhas J:** The Petitioner has assailed the order dated 19.12.2023 passed by the Anti-Encroachment Tribunal, Karachi in Civil Suit No. 6/2023, wherein the Tribunal found the Petitioner (Defendant No.1 in Suit) to be in unauthorized occupation of government land.
  2. Learned Counsel for Petitioner submits that the Petitioner resides in a Katchi Abadi by the name of Ghausia Colony and is in possession of a plot therein. However, a review of the documents placed on record indicates that no lease has been issued in the Petitioner's favour, nor is there any document from the Sindh Katchi Abadi Authority evidencing the Petitioner's title to the said property.
  3. On 3.1.2024, this Court, upon the request of Petitioner's Counsel, granted time to place the relevant lease documents on record, but he has failed to do so. When confronted with this, Counsel admitted that no lease or formal title document has been executed in the Petitioner's favour to date. In light of the foregoing, it is evident that the Petitioner's possession is not backed by any legal right, interest, or authority recognized by law.
  4. Mere occupation, without any lawful entitlement, does not confer upon the Petitioner any enforceable right or protection under the law. Accordingly, in the absence of any documentary evidence substantiating ownership or lawful possession, the Petitioner's status is that of an encroacher or trespasser upon government land. In such circumstances, no relief can be granted by this Court under Article 199 of the *Constitution of Pakistan, 1973*, on the basis of an untenable and unsupported claim. Consequently, this Petition is **dismissed**.

**JUDGE**

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