

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CP No.S-193 of 2021

Date	Order with signature of Judge
------	-------------------------------

1. For hearing of MA No.2168/2022
2. For hearing of MA No.1309/20221
3. For hearing of MA No.1310/20221
4. For hearing of case.

14.04.2022

Mr. Tahir Rahim, Advocate for the petitioner

Mr. Imran Ali Jatoi, AAG a/w Mukhtiarkar Gulzare Hijri
Scheme-33, Karachi (East) Pervaiz Ahmed Malak

Aftab Ahmed Gorar,J:- Through this petition, the petitioner prays to restrain the official respondents No.2 to 5 from interfering with the peaceful possession of the petitioner in respect of piece of land in Survey No.351, 354, 570 Gadap Town Malir, Karachi admeasuring 08 acres 7 ghunta. Notices of this petition were issued to the respondents and matter was fixed for today. Today Mukhtiarkar Gulzare Hijri Scheme-33, Karachi (East), who is custodian of land record of the area, is present in Court and states that record does not reveal ownership of the petitioner in respect of piece of land as claimed by the petitioner.

Learned Counsel for petitioner was asked to show title documents in respect of the land in question to which he pointed out only a Sale Agreement dated 10.02.2011 and submits that the land in question was purchased by the petitioner from the original owner namely Muhammad Zubair son of Abdul Sattar in the year 2011 and since then he has been enjoying a peaceful possession which is now being disturbed by the official respondents. He was asked as to under what law mere a Sale Agreement, which is an unregistered document, could create a right of petitioner to which he has no answer. He was also asked the reason as to why since entering alleged agreement of sale in the year 2011 the petitioner neither got the property in question

transferred and mutated in his name nor made a single registered document, learned Counsel for petitioner again chosen to be silent.

In view of above, the petitioner has failed to establish title in respect of piece of land bearing Survey No.351, 354, 570 Gadap Town Malir, Karachi admeasuring 08 acres 7 ghunta for which he is seeking restraining order. Moreover, Mukhtiarkar of the area is also present in Court and stated that there is no any entry in record of rights in favour of the petitioner in respect of the land in question. The petition therefore, seems to be misconceived and same is hereby dismissed along with all pending applications.

JUDGE