

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
Constitutional Petitions No.D-2011, 2012, 2013, 2014 and 2015 of 2019

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Order with Signature of Judge(s)

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1. For order on Urgent Application.
2. For order on Exemption Application.
3. For order on Stay Application.
4. For hearing of main case.

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**02.04.2019.**

Mirza Nazim Baig, Advocate for the petitioners.

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1. Urgency granted.
- 2-4. In all these petitions, it is the claim of the petitioners that they are being proposed to be dispossessed from their respective temporary allotments by the respondents No.1 and 2 without due course of law.

Mirza Nazim Baig Advocate has appeared and stated that the petitioners were granted temporary allotment by the respondents No.1 and 2 in respect of their respective land in July-2013 for a period of 12 months for commercial purposes. He stated that the respondents are now bent upon to get the allotments vacated from the petitioners without due process of law.

The counsel has been heard at some length and record has been perused.

At the very outset, the counsel was asked to show that when the temporary allotment of the petitioners stood expired in July-2014, whether the same was renewed or not, to which he candidly conceded that he has no document in his possession to prove that the temporary allotments were renewed by the respondents No.1 and 2 but stated that the petitioners are continuously paying rentals of the temporary allotments.

We are of the view that the instant petitions are not maintainable as perusal of the temporary allotment clearly reveals that it was for 12 months

only from the date of the possession and the same is renewable, however no document is in possession of the petitioners to show that the temporary allotment has ever been renewed by the respondents. Though the petitioners may be paying the rent of the temporary allotment but they do not possess, as admitted by their counsel, any document to prove about renewal of their temporary allotments by the respondents No.1 and 2. In our view the petitioners appear to be occupying the places, though paying the rent, without there being any document, authority or permission to hold the same and thus the respondents are fully justified in directing them (petitioners) to vacate the temporarily allotted places, until and unless the temporary allotment is renewed by them (respondents) and the petitioners have no locus standi /legal right to continue to occupy the places temporarily allotted to them without there being any document, permission or approval from the respondents No.1 and 2. We, therefore, find absolutely no merit in the instant petitions and dismiss the same in limine alongwith the listed applications. It is, however, expected from the respondents No.1 and 2 that they would act strictly in accordance with law.

Office is directed to place a copy of this order in all captioned petitions.

Judge

Judge

*Tahseen*