

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

C.P. Nos.1723 and 3600 of 2025

Shaikh Amjad AND Zeeshan & Co.
Versus
Pakistan & others

Date	Order with signature of Judge
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- 1. For orders on CMA 16406/25
- 2. For orders on CMA 16407/25
- 3. For orders son office objections.
- 4. For hearing of CMA 14422/25
- 5. For hearing of CMA 10688/25
- 6. For hearing of CMA 8553/25
- 7. For hearing of main case

Dated: 23.09.2025

Mr. Talha Jawed, advocate for petitioner in C.P. No.D-1723/2025.

Barrister Ovais Ali Shah and Barrister Faiza Asad, advocate for petitioners in C.P. No.D-3600 of 2025.

Mr. Khaleeq Ahmed, Deputy Attorney General.

Mr. Ashraf Ali Butt, advocate for Cantonment Board.

Ms. Nazia Khan, advocate for K.D.A.

Mr. Muhammad Najeeb Jamali, advocate for intervenor.

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A statement has been filed on behalf of the petitioner in C.P. No.D-1723 of 2025 whereas in C.P. No.D-3600 of 2025 comments have been filed on behalf of respondent No.2 Cantonment Board, which are taken on record.

It is stated that on the very cause action three suits between different parties, including the respondents, are pending in which parties are seeking relief(s) primarily against alleged encroachment over the land in question. In the suits, the Nazir report has also come on record. Here before us similar question has been raised, which is being disputed by all the parties. Even the counsel for Cantonment Board submits that on the basis of latest report he can say that there is no encroachment over the land. However, this claim

is being contested by the petitioners stating that earlier a report was filed in which it was admitted that the land has been encroached.

Be that as it may, since the very question is pending in three different suits between the relevant parties, and these petitions have been filed by the purported residents of the locality who have yet to establish their locus standi. We, therefore, dispose of these petitions and advise the petitioners to become party in the suits so that the disputed questions of facts can be decided on the basis of evidence and documents presented by both the parties before the learned trial Court. It is settled principle that the disputed questions of facts cannot be adjudicated and decided in the constitutional jurisdiction of this Court. The petitions are, therefore, disposed of in the above terms along with listed applications.

Judge

Judge