

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D-4802 of 2026
(M/s New Vision Traders versus Federation of Pakistan & others)

Date	Order with signature of Judge
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Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Muhammad Jaffer Raza

Date of hearing and order: 04.8.2026

Mr. Muhammad Ali Phulpoto, Advocate for the petitioner

ORDER

Adnan-ul-Karim Memon, J. Petitioner has filed this Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking the following relief: -

- a) *To direct the respondent No.2 & 8 to perform their official duties in accordance with law and take the law in their hands and the respondent No.2 & 8 have any legal entity to demolish and occupy the property i.e. property measuring approximate 12971 sq. feet located at (covered area 1254 sq. feet & open area 11717 sq. feet) PTCL (Closed/OSS) Wireless Compound, Plot No.196, Opp. JPMC, PTCL Staff Colony, Liaquat Barracks, Rafiqui Shaheed Road, Karachi of the petitioner, in presence of Status Quo order dated 28.04.2026 passed by the Court of VI-Sr. Civil Judge Karachi South, in Civil Suit No.11691/2025.*
- b) *To pass an order conduct departmental inquiry against the respondent No.2 and respondent No.8 and other involved persons, for demolishing the construction, occupy the property, theft the valuable articles/items of the petitioner from the said property i.e. property measuring approx.. 12971 sq. feet located at (covered area 1254 sq. feet at & open area 11717 sq. feet) PTCL (Closed/OSS) Wireless Compound, Plot No.196, Opp. JPMC, PTCL Staff Colony, Liaquat Barracks, Rafiqui Shaheed Road, Karachi of the petitioner, in presence of Status Quo order dated 28.04.2026 passed by the Court of VI-Sr. Civil Judge Karachi South, in Civil Suit No.11691/2025.*
- c) *To direct the respondents No.2 to return the articles/items medicines, furniture, fittings, and other valuable items as per attached list of investor to the petitioner or alternatively its value i.e. Rs.250,00,000/- to the petitioner.*
- d) *To take strict legal action against the respondents No.2 to 8 and other involved persons for non-compliance the directions and violating the status of quo order dated 28.04.2026 passed by the Court of VI-Sr. Civil Judge Karachi South, in Civil Suit No.11691/2025.*
- e) *To restore the possession of the property i.e. property measuring approx. 12971 sq. feet located at (covered area 1254 sq. feet & open area 11717 sq. feet) PTCL (Closed/OSS) Wireless Compound, Plot No.196, Opp. JPMC, PTCL Staff Colony, Liaquat Barracks, Rafiqui Shaheed Road, Karachi to the petitioner with immediate effect.*
- f) *To take strict legal action against the respondent No.5 & 6 and their other companions and to punish them in accordance with law.*

2. The learned counsel submits that the petitioner has already filed Civil Suit No.11691 of 2025, which is pending before the learned VI-Senior Civil Judge Karachi South, but the interim order passed by the learned Court was not complied with and the subject premises were demolished. Learned counsel also

pointed out that similar controversy was raised before this Court in Constitutional Petition No. D-105 of 2026, which was disposed of vide order dated 21.1.2026, and he intends to file a proper application in the said disposed of matter; therefore, he does not wish to press the instant petition.

3. We have heard the learned counsel for the petitioner on the maintainability of the petition and perused the record with his assistance.

4. The present Constitutional Petition is not maintainable in the circumstances of the case. The petitioner admittedly has already instituted Civil Suit No.11691 of 2025 before the competent Civil Court, wherein the dispute regarding the subject property and the alleged violation of the status quo order is already sub judice. The grievances raised in the petition, including restoration of possession, demolition of the premises, recovery of articles, compensation, and enforcement of the interim order, involve disputed questions of fact requiring appreciation of evidence, which cannot appropriately be adjudicated in the constitutional jurisdiction under Article 199 of the Constitution.

5. Furthermore, the petitioner, through learned counsel, conceded that a similar controversy had already been raised before this Court in Constitutional Petition No.D-105 of 2026, which stood disposed of, and expressed the intention to seek appropriate relief by filing an application in those proceedings. In view of the availability of an adequate and efficacious remedy before the competent Civil Court, as well as the petitioner's own decision not to press the present petition, no useful purpose would be served by keeping these proceedings pending.

6. Accordingly, the petition is disposed of as not pressed alongwith listed applications. However, the petitioner shall remain at liberty to pursue all remedies available under the law before the competent forum, including seeking implementation or enforcement of the orders already passed by the Civil Court or any other relief permissible under law. The competent forum shall decide any such proceedings strictly in accordance with law, if pending, independently and without being influenced by the disposal of the present constitutional petition.

JUDGE

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