

ORDER SHEET  
IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD

**C.P No.D-34 of 2020**

DATE	ORDER WITH SIGNATURE OF JUDGE
1.	For orders on office objection(s)
2.	For orders on M.A No.172/2019
3.	For orders on M.A No.173/2019
4.	For orders on M.A No.174/2019
5.	For hearing of main case

02.09.2020

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1to5. None present on behalf of the petitioner. No intimation is received. Since no one is present on behalf of the petitioner, therefore, we ourselves have gone through the contents of petition and it appears that through this constitutional petition the petitioner has prayed for issuance of directions to official respondents to remove the alleged illegal construction made by private respondents over Plot No.HBC-468 admeasuring 195 sq. yards situated at Cantonment Shah Faisal Colony Katcha Qila Hyderabad.

It is noted that this petition was presented on 13.01.2020 and record reflects that after filing of this petition, petitioner and/or her counsel have never taken interest to get it fixed before the Court and today first time the same is placed before this Court, however, petitioner and her counsel are called absent, which shows that perhaps the petitioner has lost interest in pursuing this petition. Even otherwise, this petition is not maintainable for the reason that the relief(s) sought by the petitioner cannot be looked into by this Court at this stage as the petitioner has appropriate remedy for the same before the Anti-Encroachment Tribunal having jurisdiction, which has not been exhausted by the petitioner before filing this petition. Accordingly, this petition being misconceived and not maintainable stands dismissed in limine alongwith listed applications, leaving the petitioner at liberty to approach the concerned forum for redressal of her grievance, if any, if she so desires as per law and on filing such proceedings, the same shall be decided by the competent forum strictly in accordance with law.

JUDGE

JUDGE

Sajjad Ali Jessar