

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
C.P.No.D- 824 of 2010

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of MA-14781/2018

26.11.2019.

Mr. Hashim Bajeer, advocate for petitioner
Mr. Muhammad Ismail Bhutto, A.A.G
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The petitioner by way of listed application has sought for direction against the respondents to comply order dated 13.07.2010 passed by this Court, whereby the respondents were directed to remove the subject encroachment and to furnish such report before this Court.

It is stated by learned AAG that the compliance report has already been furnished by Mukhtiarkar (Revenue) Diplo and nothing else is to be done by the respondents. By stating so he sought for dismissal of instant application.

It is contended by learned counsel for the petitioner that the subject encroachment has not been removed by respondents in letter and spirit. By contending so he sought for further direction against the respondents to do the needful.

We have considered the above arguments and perused the record.

The Mukhtiarkar (Revenue) Diplo has furnished the compliance report vide his office letter No.1103/2019, which is also supported by report of Assistant Engineer Highways Diplo, wherein,

it is clearly stated that no encroachment is visible at the site. In that situation there hardly remains a need to issue further direction against the respondents to remove the subject encroachment. Indeed the order dated 13.07.2010 passed by this Court has been complied with. If the petitioner is still having a feeling that some encroachment is still visible at site then he may seek removal of such encroachment by approaching the Court/Tribunal having jurisdiction by producing such evidence.

The listed application is disposed of accordingly together with pending application(s), if any.

JUDGE

JUDGE

Ahmed/Pa,