



of Property No.GRE-504 which shows that the said property is consisted of 3882 Sq. Yds. in the Garden East which is on the name of total 67 shareholders/co-onwers, out of them the name of Ali Zaman S/o Khan Zaman, the husband of respondent No.3, appears at Serial No.29 being owner of an area of 120 Sq. Yds.

It also reflects from the parawise comments filed by the respondent No.8/Mukhtiarkar-Jamshed Town that Plot bearing No.GRE-502/3 admeasuring 1000 Sq. Yds. held on Government H/3/1, was entered in the name of Muhammad Umer S/o Khan Zaman on 80 years lease commencing from 01.08.1915, which lease has expired in 1995. It further appears that adjacent to the said property G+1 newly constructed structure alongwith shops of the respondent No.3 is existing. As per the respondent No.8, in order to ascertain the claim of the petitioner the subject property is required to be demarcated.

We are; therefore, of the prima facie view that the respondent No.3 is not in illegal occupation of the adjacent land of the subject plot as she is holding her portion in property No.GRE-504 under a title on the name of her deceased husband as per record.

The petition is; therefore, dismissed alongwith pending application, if any, being devoid of merit leaving the petitioner at liberty to approach the concerned forum for demarcation, if so advised.

JUDGE

JUDGE