

ORDER SHEET
**HIGH COURT OF SINDH CIRCUIT COURT,
HYDERABAD**

C.P No.D-361 of 2005

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of M.A No.614/2021

10.11.2021

Syed Irshad-ur-Rehman, advocate for petitioner

Mr. Allah Bachayo Soomro, Additional A.G Sindh

Through this petition, the petitioner/Oil Limited Company, had sought direction against the official respondents for removal of alleged encroachment around the Factory/Company.

2. The petition was disposed of vide order dated **13.04.2006**, whereby directions were issued to authorities concerned for removal of encroachment. After about 12 years of disposal of the petition, learned counsel for petitioner moved an application bearing No.13429/2018 under Section 151 CPC for implementation of order passed way back in the year 2006; however, vide order dated **09.12.2019** the said application was dismissed for non-prosecution. Thereafter, learned counsel for the petitioner moved an application bearing No.202/2020 under Section 151 CPC for restoration of M.A No.13429/2018; however, application bearing No.202/2020 was also dismissed for non-prosecution, vide order dated **02.09.2020**.

3. Again petitioner moved the listed application; however, this time under Article 204 of the Constitution of Islamic Republic of Pakistan 1973. We have directed the learned counsel for the petitioner to satisfy as to the maintainability of listed application, but no satisfactory answer came forward. It appears that, perhaps, the petitioner is seeking redressal of new cause of action, accrued if any, by moving applications in a disposed of matter, which is not permitted by law. Accordingly, listed application stands *dismissed* being not maintainable. Office is directed to consign this file in Record Room.

JUDGE

JUDGE

Sajjad Ali Jessar