

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

C.P. No.D-726 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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Before:

Mr. Justice Muhammad Shafi Siddiqui.
Mr. Justice Irshad Ali Shah.

Date of hearing: 26.05.2022

Date of decision: 03.06.2022

Mr. Muhammad Sachal R. Awan, Advocate for the petitioner.
Mr. Ayaz Ali Rajpar, Assistant Advocate General, Sindh along-with Shariar Hussain Mechanical Engineer, Lower Sindh Mechanical, Division Jamshoro.

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It is the case of the petitioner that he is residing over the plot which he has purchased through a registered sale deed; therefore, the issuance of notice by the respondents for his dispossession from subject plot with threat of demolition of his house to be declared illegal. Contrary to this, it is submitted by the respondents that the plot in possession of the petitioner is owned by Irrigation Department, having been acquired legally and sale deed whereof, if any, in favour of the petitioner is illegal and void. The controversy with regard to the registered sale deed either being illegal or otherwise could not be resolved by this Court in exercise of its constitutional jurisdiction. The parties having rival claims may seek their respective declaration with regard to their title from the Court having jurisdiction, however until and unless the Civil Court declares the sale deed of the petitioner to be invalid, no coercive action may be taken.

The instant petition is disposed of in the above terms accordingly.

J U D G E

J U D G E

Muhammad Danish*