

**ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI**

**Suit No. 2137 of 2020  
Suit No.1822 of 2020**

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Order with signature of Judge(s)

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1. For hearing of CMA No.15459/2021
2. For hearing of CMA No.15369/2020
3. For hearing of CMA No.5895/2021
4. For hearing of CMA No.5896/2021
5. For hearing of CMA No.5897/2021
6. For orders on Nazir Report dated 27.03.2021
7. For hearing of CMA No.7778/2021
8. For hearing of CMA No.10792/2021
9. For hearing of CMA No.21046/2021
10. For hearing of CMA No.21047/2021

(It is respectfully submitted that, the injunction application CMA No.15369/2020 restored vide H.C.A No.44/2022 order dated 26.05.2022 Flagged)

**08.06.2022**

Plaintiff Raheel Nafees Siddiqi is present in person  
Mr. Ghulam Shabir, Advocate for Board of Revenue  
Mr. Nasrullah Korai, Additional Advocate General  
Mr. Zia-ul-Haq Makhdoom, Advocate for defendant Nos.8 to 10  
Mr. Ali Nawaz Khuhawar, Advocate for defendant No.11  
Mr. Muhammad Mahmood Sultan Khan Yousfi, Advocate for KDA  
Mr. Ejaz Ahmed, Deputy MEO, Military Estate Office  
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Plaintiff draws Court's attention to the order passed by the learned Divisional Bench of this Court in HCA No.44 of 2022 dated 26.05.2022, which remanded the matter back to this Court for deciding CMA No.15369 of 2020 moved under order XXXIX rules 1 and 2 afresh and ordered for fixing the matter today. The matter was accordingly taken up at the given time when plaintiff apprised this Court of the background of the case and his entitlement to the subject land, which was challenged by Mr. Ghulam Shabbir, learned counsel representing the Boar of Revenue stating that the land belonged to the Board of Revenue, Government of Sindh, whereas, Mr. Zia-ul-Haq Makhdoom, learned counsel for defendant Nos.8 to 10 stated that they have acquired the land from MEO which acquired the same in exchange of certain lands

provided by it to Karachi Development Authority for the construction of KDA Scheme No.5.

When posed the question to Mr. Ejaz Ahmed, Deputy Military Estate Officer that how the land came in the hands of the Military Estate Office, he stated that he will bring these documents on the next date of hearing, however, admitted that since filing of the suit in the year 2020, no comments, counter-affidavit or written statement has been filed by the said authority. Learned Divisional Bench of this Court has already passed orders that no third party interest be created in the lands in question, whereas, it become crystal clear that multiple parties are claiming portions of the land transferred to them either through Board of Revenue or through Military Estate Office, whereas, Sindh Government is denying any such allotments or transfer and she is standing before this Court as claimant herself.

In the given circumstances, I am of the view that any further construction on the subject lands will add to the complexities of the case and may alter character of the property in question. The matter is accordingly adjourned to **14.07.2022**, however, with clear directions that no further construction be raised on the subject lands, and as held in the order of the Hon'ble Divisional Bench no third party interest be also created.

JUDGE