

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

C.P. No.D-7216 of 2019

Ali Muhammad
Versus
Chief Secretary Sindh & others

Date	Order with signature of Judge
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For orders as to maintainability of petition.

Dated: 24.09.2020

Mr. Nehal Khan Lashari for petitioner.

Mr. Abdul Jaleel Zubedi, Assistant Advocate General.

Respondent No.8 in person.

One Orangzeb, claimed to be representative of Society, present in person.

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We have heard the learned counsel and perused record. Apparently the petitioner has challenged a notification/letter of Additional Deputy Commissioner whereby Assistant Commissioner was notified as a focal person to remove all encroachment from amenity/green belt at Ahsanabad Housing Society situated in Deh Bitti Amri after due verification/scrutiny of revenue record and by fulfilling all codel formalities. In this petition petitioner has prayed for suspension of the said notification and for conducting full-fledged inquiry. Perhaps the person from whom petitioner has derived title was subjected to litigation in Civil Suit No.1015 of 2008 wherein the title documents were declared to be a forged one and consequently plaint was rejected under order VII rule 11 CPC, as submitted by the representative of the Society who has moved an application under order I rule 10 CPC.

Be that as it may, we are not inclined to go in depth of the issues such as entitlement and rights of the parties who may or may not be

affected in compliance of the directions given by the Additional Deputy Commissioner to the Assistant Commissioner. The purpose of the impugned notification was to remove encroachment from amenity/green belt in Ahsanabad Society and petitioner cannot consider himself as aggrieved person as the notification is only in respect of encroacher of the amenity or green belt. Even otherwise contention of the petitioner's counsel found to be frivolous as such action were ordered to be taken after due verification/scrutiny of revenue record and fulfilling all codel formalities. No cause accrued to the petitioner in view of impugned order and the directions given thereunder. Petition is misconceived and is accordingly dismissed along with pending applications.

Judge

Judge