

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI

C.P.No.D-6174 of 2020

Date	Order with signature of Judge
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1. For orders on Misc. No.26495/2020 (U/A)
 2. For orders on Misc. No.26496/2020 (Ex/A).
 3. For orders on Misc. No.26497/2020 (Stay/A)
 4. For hearing of main case
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03.12.2020.

Mr. Muhammad Arif, advocate for the petitioner.

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1. Urgency granted.

2to4. The instant petition has been filed impugning a newspaper report published in the Daily Jang Karachi on 1st December 2020. At the very outset, the learned counsel was directed to satisfy the court with regard to maintainability of this petition as the newspaper cutting filed with the memo of petition dos not even constitute a public notice published by an authority and no notice with regard to vacating the plot/hut leased out to the petitioner has even been received by the petitioner. In response learned counsel stated that under the garb of this news cutting the officials of the KMC have started harassing the petitioner and there is apprehension that they might demolish the construction raised by the petitioner on the area which has been allotted to him. We are of the view that so far as the harassmt is concerned the petitioner should seek his remedy in accordance with law. However, so far as the apprehension of damage to the property, allegedly allotted to the petitioner, is concerned since at present admittedly no damage has been caused, this aspect appears to be premature and the petition on this aspect seems to be not maintainable. Even otherwise, Clause-1 of the lease agreement, on which

reliance has been placed, reflects that the rights granted thereunder does not confer any interest in the plot, and as per Clause-4, the lessor is even otherwise allowed to terminate the lease by giving 30 days' notice to the lessee. Hence, we are of the view that the instant petition in the present form, in view of the above facts, is not maintainable, therefore the same is dismissed along with the listed applications.

JUDGE

JUDGE