

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-5480 of 2020

Date	Order with signature of Judge
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FRESH CASE

1. For orders on CMA No.24267/20 (U/A)
2. For orders as to maintainability of instant petition.

18.11.2020.

Syed Nadeem Haider Shah, Advocate for the petitioners.

1. Urgency granted.
2. On the previous date of hearing, the counsel for the petitioners was categorically directed to satisfy the Court with regard to maintainability of the instant petition. Today he has appeared before us and merely stated that the respondent No.7, who is a private person, is in possession of the factory premises of the petitioners on the basis of a supposedly fake allotment letter and that he may be restrained not to create any hindrance in the working of the factory of the petitioners and the fake allotment letter may also be cancelled. He submits that as the Constitution safeguards the right to life and property, the petition is maintainable.

Counsel has been heard and the record has been perused.

On the very face of it, the petition does not seem to be maintainable as if the petitioner wants cancellation of some alleged fake letter in favour of the respondent No.7 and to recover possession from him, the remedy is to file a suit and if he wants the Respondent No.7 not to otherwise create hindrance in his business, he should submit an application to the concerned Police Station for redressal of such grievance. Suffice it to say that this petition in the present form is not the appropriate vehicle for resolution of a factual dispute between private persons, hence is dismissed in limine alongwith the pending application(s), if any.

JUDGE

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