

IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No.D-6649 of 2021

Date

Order with signature of Judge

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Fresh Case:

1. For order on Misc. No.28542/2021 (Urgent/App)
2. For order on Misc. No.28543/2021 (Exemption/App)
3. For order on Misc. No.28544/2021 (Stay/App)
4. For hearing of main case.

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12.11.2021

Mr. Naveed Ahmed Khan, Advocate for the petitioner.

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1. Urgency granted.

2-4. The only prayer made in the instant petition by the learned counsel for the petitioner being that the petitioner may be allowed to remain in the accommodation, given to her deceased husband, for some more time on humanitarian ground.

Briefly stated, the facts of the case are that the husband of the petitioner expired on 03.02.2018 and at the time of his death the petitioner alongwith her deceased husband and child were occupying and enjoying government accommodation bearing Bungalow No.1, Nuzreth Road, Gurumandir, KMC Officers Residence, Karachi, which she is occupying till date.

Mr. Naved Ahmed Khan, Advocate, has appeared on behalf of the petitioner and stated that no doubt after the death of husband in 2018 the petitioner could occupy the premises for three months only and the petitioner till today is occupying the property which cannot be considered to be legal but on the other hand states that since the petitioner is a widow, who is living the premises alongwith her child, only on humanitarian ground she may be allowed to stay in the premises for some more time.

We have heard the learned counsel at some length and have also perused the record.

It is an admitted fact that after the death of the husband of the petitioner she being a widow could only live in the government accommodation for three months, which period expired in the month of June /July-2018 but the petitioner is still enjoying the occupation of the property till today. In our view since the petitioner has already enjoyed substantial time in occupying the said premises of which admittedly she was not legally entitled to, hence even on humanitarian ground the request of the petitioner cannot be acceded to. Thus, we find no merit in the instant petition which stands dismissed in limine alongwith the listed applications.

JUDGE

JUDGE