

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
II-Appeal No. 164 of 2020.

Date	Order with signature of Judge
------	-------------------------------

1. For orders on CMA No. 3898 of 2020 (U/A).
2. For orders on office objection a/w reply as at "A".
3. For orders on CMA No. 3899 of 2020 (Exemption).
4. For hearing of main case.
5. For orders on CMA No. 3900 of 2020.

09th October 2020

Mr. Sikandar Khan, advocate for appellant.

At the outset, learned counsel for the appellant contends that appellant preferred suit for permanent injunction against illegal action of KMC, subsequently at belated stage, they received cancellation & allotment of KMC Flat No. A-02, Block A PIDC KMC Municipal Accommodation KMC. Since order VII rule 13 CPC provides remedy of fresh suit on fresh cause, accordingly, appellant would be competent to file fresh declaratory suit with injunction as earlier suit was with regard to permanent injunction only.

Instant petition stands disposed of alongwith listed applications.

JUDGE