

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
H.C.A. No.223 of 2022

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Date	Order With Signature Of Judge
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- 1.For hg of CMA No.2200/22
- 2.For order on office objection
- 3.For hg of main case
- 4.For hg of CMA No.2021/22

10.08.2022.

Dr. Muhammad Farogh Naseem, advocate for appellant.  
Mr. Khawaja Shamsul Islam, advocate for respondent No. 10.  
Mr. Zeeshan Adhi, Additional Advocate General, Sindh.

After hearing the learned counsel for the parties at some length and keeping in view the fact that no final order has been passed by the learned Single Judge on injunction application, by consent, instant High Court Appeal is disposed of with the directions to the appellant to agitate his grievance before the learned Single Judge by filing reply/objection to the injunction application in suit, with advance copy to learned counsel for the appellant and may raise all such objections and press grounds as raised through instant High Court Appeal, whereas, it is expected that learned counsel for the parties shall proceed with matter on the next date of hearing, which is reportedly fixed on 30.08.2022. The learned Single Judge may pass final order on such application, preferably, within a period of two weeks from the date of hearing, whereas, it is expected that no unnecessary adjournment shall be sought by the learned counsel for the parties. Learned counsel for the parties have requested that office may be directed to fix Suit Nos.972 of 2022 and 913 of 2021 alongwith subject suit on the next date of hearing, whereas, in the meanwhile, a joint survey in respect of the subject land may also be directed to be carried out in presence of representatives of the appellant and the respondents under the supervision of the Official Assignee of this Court by associating the Survey Department of Pakistan,

Survey and Settlement Department of Board of Revenue, Sindh, Mines and Mineral Department, Govt. of Sindh and concerned Mukhtiarkar and also through satellite imaging to be taken through GPS co-ordinates and those lights, whereas, private surveyor at the choice of Official Assignee, if so required, may also be associated for such purpose, who shall also takeout photographs. Order accordingly. Fee/cost of the survey so incurred, and the fee of Official Assignee in the sum of Rs.50,000/- (Rupees fifty thousand only) shall be borne by both the parties equally. It is expected that such exercise may be concluded within fifteen days from the date of receipt of this order. In the meanwhile, the interim order passed in the instant High Court Appeal shall remain operative, however, subject to further final order by the learned Single Judge on the application.

Instant High Court Appeal along with pending applications stands disposed of in the above terms.

JUDGE

JUDGE

HANIF