

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI.**

**C.P No. D-776 of 2023**

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Dated                      Order with signature of Judge.

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**Fresh case**

1. For order on Misc. No.3597/2023
2. For order on office objection Nos.19 & 31
3. For order on Misc. No.3598/2023
4. For hearing of main case.

**07.02.2023**

Mr. Ameet Kumar, Advocate for the Petitioner

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**YOUSUF ALI SAYEED, J.-** The Petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution, seeking a declaration as to his entitlement to Plot No.244, measuring 200 square yards in KMC Landhi Cottage Industry Zone Area Karachi, while assailing an Order dated 29.06.2022 passed by Provincial Ombudsman (Mohtasib), Sindh and eliciting directions as against the Director Land Development, KMC for the handing over peaceful possession of that property or a like property in certain other identified industrial schemes.

Having considered the matter, we of the view that a declaration of the nature sought by the Petitioner cannot be made in exercise of the constitutional jurisdiction of this Court. Furthermore, a perusal of the record reflects that the order impugned is merely one declining a request apparently made by the Petitioner on humanitarian grounds, whereas the earlier Orders made on the subject by the Mohtasib and the Governor of Sindh, which date back to years 2017 and 2020 respectively, have not even been assailed through the present proceeding.

Under the given circumstances, we are of the view that the Petition is misconceived, hence while granting the application for urgency we hereby dismiss the Petition in *limine* along with the other pending miscellaneous application.

JUDGE

CHIEF JUSTICE

TariqAli/PA