

IN THE HIGH COURT OF SINDH AT KARACHI
HCA No.221 of 2023

Date	Order with Signature(s) of Judge(s)
1.	For order on CMA No.2113/2023 (Urgent)
2.	For order on office objection a/w reply as at "A".
3.	For order on CMA No.2114/2023 (Exemption)
4.	For hearing of Main case
5.	For order on CMA No.2115/2023 (Stay)

04.05.2023

Mr. Sibtain Mehmood, Addl. Advocate General a/w
Mir Muhammad Pathan, D.S L.U BOR, Aziz Chandio,
S.L.U & Imran Jokhio, Mukhtairkar Malir Karachi.
Mr. Ahmed Hussain, Advocate for Respondent No.1.

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1. Urgency application is granted.
- 2-5. After hearing both the learned counsel at considerable length, with their consent the following order is being passed.

i. That the Respondent No.1 would construct the wall on the disputed land on its own cost and risk.

ii. That the said construction of the wall would not confer any possessory rights to the Respondent No.1.

iii. That the Respondent No.1 till the matters, which are pending in different suits, would not create any third party interest.

iv. So far as the aspect of appointment of chowkidar are concerned, the parties will agitate this issue before the learned Single Judge, who will consider and decide the matter in accordance with law.

v. That both the counsel are directed to get club and tag the matters which are being agitated between them

alongwith application under Section 12(2) CPC, if any, filed by the present appellant to enable the learned Single Judge to decide all these matters including the said application in accordance with law. It is expected that neither the appellant nor the Respondent No.1 would seek unnecessary adjournment so that the matters would be heard and disposed of in accordance with law.

In view of the above, the instant H.C.A stands disposed of alongwith the listed application(s).

JUDGE

JUDGE

SM