

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Constitutional Petition No. D-5975 of 2023

Date

Order with signature of Judge

1. For hearing of Misc. No.27881/2023 (Stay)
2. For hearing of Misc. No.27882/2023 (Inspection)
3. For hearing of main case

11.1.2024

Mr. Khurram Abbas advocate for the petitioner

Chaudhry Jaffer Hussain advocate files Vakalatnama as well as reply / parawise comments on behalf of the respondents / Pakistan Railways, which are taken on record.

Pursuant to order dated 12.12.2023, Nazir has furnished his report, whereby the premises in question has been inspected and it has been confirmed that on the date of inspection the premises i.e. Quarter No.11, Block No.491, Railway Colony, Karachi Cantonment was found in the possession of the petitioner. On the other hand, today, learned counsel for Pakistan Railways has filed various documents including the report of inquiry dated 25.11.2023, whereby the Inquiry Committee has concluded that insofar as cancellation of the allotment of the petitioner is concerned, the same was done without adopting the due formalities and due process including a notice and explanation from the petitioner as to whether he has sublet the property to anyone else.

Since as per inspection carried out on the orders of this Court through its Nazir, it has been confirmed that the premises is in the possession of the petitioner and is not sublet, this petition is disposed of along with listed / pending application(s) by directing the respondents to conduct themselves strictly in accordance with law and as and when any process for vacating the premises has to be initiated, the same should be done after notice and opportunity to the petitioner to explain any such allegation.

Petition stands disposed of in the above terms.

JUDGE

JUDGE