

# ORDER SHEET

## *IN THE HIGH COURT OF SINDH AT KARACHI*

Constitution Petition No. **D – 1403** of 2023

Date	Order with signature of Judge
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### Fresh Case

1. *For orders on Misc. No. 6895/2023.*
2. *For orders on Misc. No. 6896/2023.*
3. *For hearing of Main Case.*
4. *For orders on Misc. No. 6897/2023.*

### 15.03.2023:

Mr. Altaf Hussain, advocate for the petitioner.

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1-4. After hearing the learned counsel at some length and while confronted as to maintainability of instant petition, which has been filed under duplication of proceedings pending before the learned XI<sup>th</sup> Senior Civil Judge, Karachi Central by filing Civil Suit No.273/2023, whereby, petitioner is seeking declaration with regard to title and possession over the subject plot, learned counsel for the petitioner could not submit any reasonable explanation, however, submits that petitioner will press instant petition and will seek remedy, including restraining order with regard to the impugned construction being raised on the subject plot, without approved building plan.

Accordingly, instant petition stands dismissed as not pressed alongwith all listed applications, however, petitioner is at liberty to continue to seek remedy before the aforementioned Civil Court and also to approach the SBCA authorities by filing appropriate application in respect of unauthorized illegal construction on the subject plot, who shall take appropriate action, in accordance with law.

**JUDGE**

**JUDGE**

A.S.