

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-4348 of 2023

Date

Order with signature of Judge

FRESH CASE:

1. For order on CMA No.20007/2023 (Urgent).
2. For order on office objection No.19.
3. For order on CMA No.20008/2023 (Exemption).
4. For order on CMA No.20009/2023 (Stay).
5. For hearing of main case.

Dated; 11th September 2023

Syed Sultan Ahmed, Advocate for Petitioner.

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1. Urgency granted.
 2. Learned counsel for the petitioner undertakes to comply with office objection before the next date of hearing.
 3. Exemption granted subject to all just exceptions.
- 4&5. Through instant Constitutional Petition, the petitioner has impugned letter dated 04.08.2023 issued by Karachi Development Authority, Land Management Department addressed to the Registrar Karachi and Sub-Registrar, Gulshan-e-Iqbal Town, Karachi, which is available as Annexure P/28 at page 127 of instant petition, whereby, the lease plot of the petitioner bearing Plot No.C-98/2, Block-1, Scheme-36, Gulistan-e-Johar, Karachi has been cancelled, however, without issuing any notice or providing any opportunity of being heard to the petitioner, who has acquired the right and title in respect of the subject plot after making payment of the differential amount directly to be paid by the Chairman Land Committee in the year 2006. Per learned counsel, initially the subject plot was allotted pursuant to the order dated 09.01.2010 and, thereafter, leased out in favour of the petitioner on 02.05.2014 pursuant to Indenture of Lease Deed,

Registered No.4279, dated 02.05.2011 under M.F. Roll No.51832/9481, dated 10.07.2014. Per learned counsel, as per information of the petitioner, there is no order of this Court, as referred to in the impugned letter, which otherwise pertains to the year 2005. According to learned counsel, the petitioner was entitled to provide proper hearing, which has not been provided to her, hence, the impugned letter is illegal and liable to be suspended.

Let pre-admission notices be issued to the respondents as well as to the Advocate-General Sindh, to be served through first three modes, for **05.10.2023**, when reply/comments, if any, shall be filed with advance copy to the learned counsel for petitioner. In the meanwhile, the operation of impugned letter shall remain suspended. However, till next date of hearing, the parties are directed to maintain status quo in respect of the subject plot.

J U D G E

J U D G E

Farhan/PS
