

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

C.P. No.D-2684 of 2018

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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For orders on office objections.  
For hearing of main case.

**20-09-2023**

Mr. Rafique Ahmed Dahri, Assistant Advocate General.

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Petitioners and their counsel though are not in attendance but we have been assisted by learned AAG to the extent that the prayer made in the petition has rendered this petition as not maintainable. The petitioners have prayer as under:-

*“(a) To admit the instant petition after hearing and issued notices to the respondents.*

*(b) To direct the respondent No.12 to 15 their men, employee(s), employer(s), agent(s), sub ordinate(s) and hired person(s) not to threat, harass, humiliate, pressurize, blackmail, grab the subject land and not restrain the petitioners’ employees to erect boundary walls and develop the subject land in any circumstances and capacity of whatsoever nature.*

*(c) To direct the officials respondent no.5 to 8 & 12 to give due protection of life and property of the petitioners and their employees over the subject land, further direct respondent No.5 to 8 & 12 to take appropriate legal action in accordance with the law against the respondent No.13 to 15 and their companions.*

*(d) To pass any appropriate order which may be deem just and proper by this Hon’ble Court giving due regard to facts and circumstances of the case.”*

Insofar as the alleged harassment, blackmailing and threats are concerned, the petitioners may pursue their remedy before the proper forum and similarly as far as negative declaration for not restraining the petitioners’ employees to erect boundary wall is concerned, it does not fall within the domain of this court in terms of Article 199 of the Constitution as it requires evidence in this regard before adjudging the petitioners to be entitled for. The petition thus is not maintainable and is accordingly dismissed.

**JUDGE**

**JUDGE**