

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

C.P. No.D-2828 of 2024

Mrs. Amina & others
Versus
Federation of Pakistan & others

Date	Order with signature of Judge
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1. For orders on office objection No.16.
2. For orders on Misc. No.12836/24
3. For orders on Misc. No.12837/24
4. For hearing of main case.

Dated: 07.06.2024

Ms. Saify Ali Khan for petitioners.

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The subject property was declared as evacuee trust property by the Chairman Evacuee Trust Property Board, Government of Pakistan, which order is available at page 197 as Annexure P/20. This was declared as evacuee trust property somewhere on 26.04.2008. Against this, petitioners claim to have filed a Revision Application before respondent No.4 with whom the statutory revision lies where it remained pending adjudication. However, per learned counsel while it was pending since 2008 on account of absence of the counsel it was dismissed for non-prosecution on 12.04.2023. Followed by dismissal, the petitioners have received notices of eviction, though restoration application is still pending. Hence, they have filed this petition.

We have heard learned counsel and perused material available on record.

Undoubtedly this Court is not an adjudicating forum; we cannot probe under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 whether the property, the subject matter of this petition,

was or was not an evacuee trust property. It was conveniently decided under the law of Evacuee Trust, initially by the Chairman and now the matter, as being a revision application, is subjudice before Secretary, Ministry of Religious & Minorities (Minorities Affairs Division) i.e. respondent No.4. At present the revision is claimed to have been dismissed but a restoration application is still pending.

In these circumstances, since statutory remedy was attempted to be agitated and at this point in time a restoration application in pursuance thereof is also pending, no interference of this Court is required. Accordingly, instant petition is dismissed along with listed applications.

Judge

Judge