

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
C.P No.S-25 of 2023

Date	Order with signature of Judge
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1. For orders on office objections
2. For hearing of main case.

27.11.2023

Mr. Najeebullah Jalbani, Advocate for Respondent
Mr. Mehboob Ali Wassan, AAG

None present for the Petitioner nor any intimation received. Learned Counsel for the Respondent states that this constitution petition has been filed against the order passed by Executing Court for implementing eviction order passed in Rent Application No.02 of 2012, which was finally allowed on 02.06.2017 passed by learned Appellate Court in Rent Appeal No.03/2016. Counsel next submits that against the said eviction order, the petitioner had preferred C.P No.S-283/2021, which was subsequently withdrawn as not pressed. Counsel further submits that petitioner was aggrieved against the legal point that execution application is not maintainable as it was filed beyond the period of limitation; however such legal issue has correctly been decided by the Executing and Appellate Court even otherwise in special law, there is no period of limitation provided. Learned Counsel has also filed a certified copy of order dated 21.06.2023 under the cover of his statement and submits that the eviction order has been implemented and the execution proceedings have been satisfied vide order dated 21.06.2023 by Executing Court and the purpose of this constitution petition would be frustrated. In such circumstances, I do not find any substance, which requires any further interference in this matter. Consequently, this constitution petition is dismissed.

JUDGE