

Order Sheet
IN THE HIGH COURT OF SINDH,
BENCH AT SUKKUR

Const. Petition No.D-1143 of 2024

Date of hearing	Order with signature of Judge.
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Fresh Case

- 1.For orders on CMA 4453/24
- 2.For orders on CMA 4454/24
- 3.For orders on CMA 4455/24
- 4.For hearing of main case

13-08-2024

Mr. Muhammad Faryad Azeem Khan, Advocate for petitioners.

1. Urgency is granted.

2. Exemption is granted subject to all just legal exceptions.

3&4. Learned counsel submits that petitioners had originally challenged the very procedure adopted for issuance of notices available at page-23-31, which violated the scheme provided under the Evacuee Trust Properties (Management & Disposal) Act 1975, which provides mechanism for the calculation of arrears of rent. Not only so, upon receipt of notices available at page-23 to 31, the appeal was preferred by the petitioners before respondent No.1, which was dismissed by the order dated 15.06.2023. As provided under the law, the petitioners opted to file Revision under section 17 of the said Act, memo of Revision is available at page-53 and while such Revision still pending, while the petitioners made at least two requests for early hearing, the impugned notices available at pages-55 to 71 have been issued to the petitioners forcing them to make payment of huge amount of rental, which have been calculated in violation of the procedure prescribed.

Counsel adds that while the petitioners' application seeking revision is pending, issuance of such notices is in violation of the procedure prescribed and perhaps caused serious prejudice to the interest of the petitioners.

Issue notices to respondents as well as DAG for **05.09.2024**. However, in the meanwhile, no coercive action be taken against the petitioners on the basis of notices issued to them and available from page-55 to 71.

JUDGE

JUDGE

Ahmad