

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

CP D 432 of 2016  
CP D 433 of 2016  
CP D 434 of 2016  
CP D 435 of 2016  
CP D 436 of 2016

| Date | Order with signature(s) of Judge(s)  |
|------|--|
|      | <ol style="list-style-type: none"><li>1. For hearing of CMA No.1621/2016.</li><li>2. For hearing of CMA No.1622/2016.</li><li>3. For hearing of main case.</li></ol> |

**28.02.2025**

Syed Danish Ghazi, advocate for the petitioners.  
Syed Mubarak Ali Shah, advocate for the respondent.  
Mr. Sandeep Malani, Assistant Advocate General Sindh.

These petitions are pending since 2016. Prima facie perusal of prayer clause demonstrate that same are not amenable for adjudication in writ jurisdiction. Essential prayer clauses are reproduced herein below:

I. To Declare the unauthorized Trespass, Development/Construction works by the Respondents on the Property of the Petitioner as illegal and ultra-vires.

II. To Declare the change in unique character of the Property of the Petitioner by way of development, constructions, and land reclamation by the Respondents as illegal and ultravires.

III. To Declare the failure of the Respondents in issuing necessary documents such as Lease and NOC for construction as illegal and ultra-vires.

IV. To Restrain the Respondents, their officers and agents from trespassing on the property of the Petitioner and further carrying out any development/construction activity.”

It is apparent that such adjudication cannot take place without evidence etc and the same is not amenable for adjudication in writ jurisdiction. Even otherwise, the claim for losses, NOCs etc are individual matters, which have to be appraised on independent exclusive facts and not omnibus order in such regard could be issued in exercise of writ jurisdiction. Petitions are found to be mis-conceived, hence, dismissed. Office is instructed to place copy hereof in each connected file.

Judge

Judge