

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

R.A. No.44 of 2017

Abdul Ghaffar & another

Versus

Lt. Col. Khadim Hussain Changezi & others

Date: Order with signature of Judge

For hearing of main case

Dated: 07.02.2018

Rai Mansab Ali Kharral for applicants.
Mr. Zulfiqar Ali, Law Officer Cantonment Board.

Muhammad Shafi Siddiqui, J.- This Revision Application is arising out of contempt proceedings initiated against respondent No.1 by the applicants before the appellate Court. The suit of the applicants was dismissed on 21.03.2016 whereafter an appeal was filed on 31.03.2016, as stated. Counsel also claims that an interim order was passed on 16.05.2016 whereafter applicants moved contempt application, as stated above.

The applicants are unable to show that they were evicted from the premises at the time when the interim order was in operation or that the premises were demolished in the same period. Hence, since there is no such evidence available, the alleged contemnors cannot be taken to task. However, both the learned counsel agreed that pending appeal be disposed of within period of six weeks from today and in case the applicants succeeds in establishing their right over the subject property then appropriate orders as to their possession may also be passed. Order accordingly.

Revision stands disposed of in the above terms.

Judge