

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT HYDERABAD

C.P No.D-2763 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
	1. For orders on office objection. 2. For orders on MA No.11456/2022. 3. For orders on MA No.12115/2022. 4. For hearing of main case.
<u>01-11-2022</u>	

Mr. Irfan Ali Qureshi advocate for petitioners.

Petitioners/defendants having lost T.C. Suit No.12/2007 for declaration, possession, mandatory and permanent injunction vide impugned judgment and decree dated 31.01.2012 respectively, not disturbed upto this Court, regarding which Execution Application No.01/2015 was filed and allowed, has been filing so many applications to disturb implementation of the decree and upset writ of possession issued in compliance by moving so many applications before the Executing Court. This petition is nothing but addendum of his efforts in which he is seeking direction to the Deputy Commissioner, Umerkot not to execute the decree and before executing the decree, first to verify survey numbers subject matter of the case.

We have heard learned counsel for petitioners. He has failed to satisfy about maintainability of this petition as to why he has not challenged the orders passed on various applications by the Executing Court before a proper forum, and how a direct approach to this Court is competent. One of such orders available at page-63 annexure-E reflects that as many as five applications have been filed by the petitioners before the Executing Court so far to thwart process of execution. This being the position, finding the petition nothing but a gratuitous attempt, we **dismiss** the same along with listed applications with a cost of Rs.10,000.00 [rupees ten thousands only] to be paid by the petitioners within ten days. On their failure the petition shall be fixed in Court for further orders.

JUDGE

JUDGE