

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

Constitutional Petition No. D – 597 of 2026

| <b>DATE</b> | <b>ORDER WITH SIGNATURE OF JUDGES</b> |
|-------------|---------------------------------------|
|-------------|---------------------------------------|

1. For orders on CMA No.24839/2026 (U/A).
2. For orders on CMA No.24290/2026 (Withdrawal).

**30.09.2026**

Mirza Abdul Moiz Baig, Advocate for the Petitioner.  
M/s Dhani Bux Lashari, Rafique Ahmed Bhanboro and Kazi Amanullah,  
Advocates for SBCA.

-----

The petitioner, a resident of the area, submits that Respondent No.3 is encroaching upon the road/amenity passage and obstructing the right of way. However, during arguments, learned counsel for the petitioner pointed out that an application for withdrawal of the petition under XXIII Rule 1 CPC has already been filed.

Learned counsel for SBCA has filed comments report, taken on record, stating that upon inspection an old Ground+1 bungalow was found existing at the site with no ongoing construction, while the petitioner’s grievance relates to obstruction of the right of way/amenity passage. It is further stated that the matter involves disputed questions requiring appreciation of evidence beyond the scope of constitutional jurisdiction.

The application is allowed and, consequently, the instant petition along with the pending application is dismissed as withdrawn.

JUDGE

JUDGE

Nadeem Qureshi PA