

IN THE HIGH COURT OF SINDH KARACHI

Const. Petition No. S-198 of 2026
(Abdul Shakoor –vs – Province of Sindh & Ors.)

Date	Order with signature(s) of Judge(s)
Hg: / Priority.	

- 1. For hearing of Misc. No.8199/2025
- 2. For hearing of main case.

19.08.2026.
Mr. M.M. Aqil Awan, Advocate for the Petitioner.
Nemo for Respondents.

ORDER

Nisar Ahmed Bhanbhro, J. This petition is directed against the order dated 17.12.2024 passed by the learned IVth Senior Civil Judge, Malir, Karachi, in Civil Execution No. 01 of 2022, whereby the execution proceedings were kept *sine die* on the ground that the Hon’ble Supreme Court of Pakistan has imposed a complete ban on the conversion of a 30-year lease into a 99-year lease, as well as on the mutation, allotment, transfer, and conversion of State land.

2. Admittedly, the judgment and decree has been passed in favour of the petitioner, and there is nothing on record to suggest that the Hon’ble Supreme Court of Pakistan has imposed any ban on the execution thereof. The judgment and decree was passed for the purpose of being executed, and if it remains unexecuted, it would undermine the very foundation of the justice system, as the fundamental concept of the justice system is to ensure that the rights of a person, once adjudicated upon, are secured and enforced without unnecessary delay in favour of the person entitled thereto. Once a judgment and decree has been passed, it is incumbent upon the Executing Court to ensure its execution in accordance with the terms of the decree. The execution of the decree cannot be restrained at the instance of the Judgment Debtor merely on the ground that the Hon’ble Supreme Court has passed certain orders concerning the mutation, transfer, allotment, or conversion of government land. Such matters fall within the discretion and domain of the concerned Revenue Authorities and do not operate as a bar to the execution of a judgment and decree duly passed by a competent Civil Court.

3. In view of the foregoing, this petition is allowed. The order passed by the learned Executing Court is hereby set aside, with a direction to the learned Executing Court to pass a speaking order on the execution application and ensure compliance with the judgment and decree within the shortest possible time.

4. The Office is directed to transmit a copy of this order to the learned Executing Court for compliance. A copy of this order shall also be sent to the learned Advocate General, Sindh, for information.

JUDGE