

IN THE HIGH COURT OF SINDH AT KARACHI

(Constitutional Jurisdiction)

CP-D No. 5169 of 2023

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Presented on 24-10-2023

[Signature]
Additional Registrar (Wri)

Mumtaz Majeed
Wife of Abdul Majeed
Muslim, adult,
Resident of Flat No. 107, Garden Centre,
Garden East, Karachi
(Through his authorized attorney)

Petitioner

Versus

1. **Federation of Pakistan**
Through its Secretary
Ministry of Communication,
Pakistan Secretariat, Block B,
Islamabad
2. **Province of Sindh**
Through its Chief Secretary
Government of Sindh
Sindh Secretariat, Karachi
3. **National Highway Authority**
Through its Director
Drigh Colony/Shah Faisal Colony
Shahrah-e-Faisal, Karachi
4. **Frontier Works Organization (FWO)**
Through its Director/Project Manager
Karachi-Hyderabad Motorway (M9)
FWO (Headquarters), 509, Kashmir Road,
R.A. Bazar, Rawalpindi

HQ 494 Engineer Group
Near PNS Shifa Hospital,
Karachi Cantonment
5. **Superhighway Construction Operation & Rehabilitation Engineering (SCORE) (Pvt.) Ltd.**
Through its Chief Operating Officer
10th Floor, Zenith Plaza, Tauheed Square,
Jinnah Avenue, Bahria Town,
Motorway (M-9), Karachi
6. **Land Utilization Department, Board of Revenue**
Through its Secretary
ST-4, Revenue House, Block-6,
Clifton, Karachi



CONSTITUTIONAL PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN



Order Sheet

IN THE HIGH COURT OF SINDH AT KARACHI

C. P. No. D – 5169 of 2023

Date	Order with Signature of Judge
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1. For orders on CMA No.23676/2023 (Urgent) :
2. For orders on office objection No.32 :
3. For orders on CMA No.23677/2023 (Exemption) :
4. For orders on CMA No.23678/2023 (Stay) :
5. For orders on CMA No.23679/2023 (Inspection) :
6. For hearing of main case :

26.10.2023

Mr. Umair Usman, Advocate for the petitioner.

1. Urgency granted.
2. Learned counsel undertakes to comply with the office objection within seven (07) days.
3. Exemption is granted subject to all just exceptions.

4-6. The petitioner has alleged that the respondents are raising illegal construction on the green belt in front of his land. Learned counsel submits that the questions of law and fact involved in the instant petition are *subjudice* before this Court in C.P. Nos. D – 2505 of 2021 and D – 2436 of 2022 wherein interim orders have been passed by this Court which orders are still in the field. Issue notice to the respondents as well as to learned Advocate General Sindh with direction to file comments before the next date of hearing. Respondent No.3 / NHA and respondent No.6 / Land Utilization Department Board of Revenue Sindh are directed to place on record the layout plan and other survey documents relating to the subject green belt in order to verify the allegation made by the petitioner. To be listed on 20.11.2023 along with C.P. No. D-2505 of 2021, and C.P. No. D-2436 of 2022.

Handwritten note: *Before 29/10/23*



Signature of Judge: *Et. Nadeem Akhtar*
Signature of Judge: *Et. Muhammad Abdur Rahman*