

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**PRESENT:**

Mr. Justice Muhammad Ali Mazhar  
Mr. Justice Syed Hasan Azhar Rizvi  
Mr. Justice Aqeel Ahmed Abbasi

**CMA No.788-K of 2024 in CPLA No. Nil-K/2024**

*(Application for permission to file CPLA against the judgment dated 15.05.2024 passed by the High Court of Sindh, Karachi in IInd Appeal No.76/2012)*

Muhammad Qasim Siddiqui

**... Applicant**

**Versus**

Mst. Zarina Badar Zaidi and another

**... Respondents**

For the Applicant: Mr. Zaheer-ul-Hassan Minhas, ASC

For the Respondents: Mr. Mushtaq Ahmed Memon, Sr. ASC  
Mr. K.A. Wahab, AOR

Date of Hearing: 18.07.2025

**ORDER**

**Muhammad Ali Mazhar, J.-** The applicant has filed this application for permission to file CPLA on the ground that the application moved under section 12(2) CPC in IInd Appeal No. 76/2012 was dismissed by the High Court without considering the relevant facts. The learned counsel argued that the property in question was owned by the predecessor-in-interest of the applicant who entered into an agreement to sell with the respondent No.1 in the year 1976 and he died in 1992. Learned counsel further argued that the original IInd Appeal order was passed behind the back of the present applicant and the respondent has concealed the facts and order was obtained on the basis of fraud and misrepresentation.

2. We have seen the order dated 24.10.2019 (which is available at page-76 of the paper book) which shows that the KDA had filed a statement which was taken on record and the IInd Appeal was disposed of in view of the statement filed by the KDA. In the impugned order dated 15.05.2024 the learned Single Judge has considered all the relevant facts and in concluding paragraph reached to the conclusion that the applicant failed to substantiate any allegation of fraud, misrepresentation or want of jurisdiction to overturn the order dated 24.10.2019. It is also matter of record that the deceased father of the applicant never challenged the

agreement to sell executed in the year 1976 in his life time. After appreciation of all relevant facts the application was dismissed. We do not find any justification to allow permission to the present applicant to file CPLA in this case. Accordingly, the application is dismissed.



**Karachi,**

18.07.2025.

***Not Approved for Reporting***

*Tanveer Ahmed*