

ORDER SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

W.P. No.248 of 2021
Syed Saqlain Hussain Shah

Versus
Muhammad Ramzan and another

S. No. of order / proceedings	Date of order / proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	22.01.2021	Syed Adil Safdar Gardezi, Advocate for the petitioner.

Through the instant writ petition, the petitioner, Syed Saqlain Hussain Shah, impugns the order dated 21.12.2020 passed by the Court of the learned Civil Judge, Islamabad, dismissing the petitioner's application under Order VII, Rule 11 of the Code of Civil Procedure, 1908 seeking the rejection of the plaint in the suit for permanent injunction filed by respondent No.1.

Learned counsel for the petitioner submitted that the learned Civil Court erred by not rejecting the plaint in respondent No.1's suit since the matter agitated in the suit had already been decided in an earlier round of litigation.

He further submitted that the earlier suit instituted by respondent No.1 was dismissed by the learned Civil Judge vide judgment and decree dated 20.05.2016; that respondent No.1 has also preferred an appeal against the said judgment and decree; and that the petitioner had purchased the suit land from the defendants in the earlier suit.

Issue notice to respondent No.1.

Relist on **08.02.2021**.

C.M. No.01/2021

Notice. Until next date of hearing, the proceedings before the learned Civil Court are stayed.

C.M. No.02/2021

Exemption sought for is allowed, subject to all just and legal exceptions.

(MIANGUL HASSAN AURANGZEB)
JUDGE