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2025 SCMR 211

[Supreme Court of Pakistan]

Present: Sardar Tariq Masood and Mazhar Alam Khan Miankhel, JJ

AMJAD ALI and others ---Petitioners

Versus

ANWAR SHAH and others ---Respondents

C.P.L.A No. 223-P of 2015, decided on 21st November, 2024.

Entered the judgment dated 08.12.2024 entered by Peshawar High Court, Bannu Bench

C.R. No. 38-B of 2008).

Specific Relief Act (I of 1877)---

----Ss.8, 42 & 54---Suit for possession, declaration and injunction---Adverse possession---Electricity bills---Proof of possession---Suit filed by predecessor-in-interest of appellants was decreed in his favour but Lower Appellate Court allowed appeal and suit was dismissed---Judgment and decree passed by Lower Appellate Court were maintained by High Court---Validity of possession of suit property was with predecessor Peshawar High Court, Quetta High Court who had electricity consumption meter in their name but the same did not bear any fruit for them and had no effect on merits of the case---Such entries could never be termed as equivalent to ownership---Predecessor-in-interest of appellants was owner of suit house and after his death, the appellants stepped into his shoes---Status of predecessor-in-interest of respondents was that of a tenant and thereafter, respondents had stepped into his shoes---Sale mutations were of no help to predecessor-in-interest of respondents and their possession of suit house was not less than that of a trespasser---Supreme Court set aside judgments and decrees passed by Lower Appellate Court and High Court as Trial Court had rightly granted decree in favour of appellants---Appeal was

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2025 SCMR 358	SADAQAT ALI VS Mst. NASREEN AKHTAR Honorable Justice Irfan Saadat Khan Irfan Saadat Khan Irfan Saadat Khan Irfan Saadat Khan	SUPREME-COURT	Read
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2025 SCMR 380	ANWAR SHAH and others - Respondents SHER AYAZ KHAN alias SHERAZ KHANA VS GUL NAJEEB KHAN Honorable Justice Shahid Bilal Hassan Shahid Bilal Hassan Shahid Bilal Hassan G.P.L.A No. 223-P of 2015 decided on 21st November, 2024.	SUPREME-COURT	Read
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### 2025 SCMR 211

[Supreme Court of Pakistan]

New Statutes

**Present: Sardar Tariq Masood and Mazhar Alam Khan Miankhel, JJ**

> Federal  
**AMJAD ALI and others ---Petitioners**

**Versus**

> Punjab  
**ANWAR SHAH and others ---Respondents**

C.P.L.A No. 223-P of 2015, decided on 21st November, 2024.

> KPK  
(Against the judgment dated 08.12.2014 passed by Peshawar High Court, Bannu Bench in

C.R. No. 38-B of 2008).

> Balochistan  
**Specific Relief Act (I of 1877)---**

> Sindh  
----Ss 8, 42 & 54---Suit for possession, declaration and injunction---Adverse possession---Electricity bills---Proof of possession---Suit filed by predecessor-in-interest of appellants was decreed in his favour but Lower Appellate Court allowed appeal and suit was dismissed---Judgment and decree passed by Lower Appellate Court were maintained by High Court---Validity---Possession of suit property was with predecessor-in-interest of respondents/defendants who had electricity consumption meter in their name but the same did not bear any fruit for them and had no effect on merits of the case---Such entries could never be termed as equivalent to ownership---Predecessor-in-interest of appellants was owner of suit house and after his death, the appellants stepped into his shoes---Status of predecessor-in-interest of respondents was that of a tenant and thereafter, respondents had stepped into his shoes---Sale mutations were of no help to predecessor-in-interest of respondents and their possession of suit house was not less than that of a trespasser---Supreme Court set aside judgments and decrees passed by Lower Appellate Court and High Court as Trial Court had rightly granted decree in favour of appellants---Appeal was

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