Suits for Declaration under Pakistani Law

Section 42 of the Specific Relief Act, 1877, with Sections 39, 8 and 54 (2021–2026)

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Abstract

This paper examines 34 reported judgments on suits for declaration — 14 of the Supreme Court of Pakistan, 12 of the Peshawar High Court and 8 of the other High Courts (Lahore, Sindh, Islamabad and Balochistan), decided between 2021 and 2026 — collected on the Pakistan Law Site. It covers the pre-existing right that section 42 protects, the plaintiff's own legal character, the choice between declaration, cancellation and possession, repeated suits, mutations and the revenue record, gifts set up against female heirs, limitation under Article 120, and the power to amend a defective plaint. The main finding is that a declaration can only declare a right that already exists (2022 SCMR 348), that a registered instrument must be attacked by cancellation and not by declaration (2024 SCMR 1319), and that time runs from the actual denial of the plaintiff's right (2024 SCMR 795); the Peshawar High Court, for its part, prefers amendment of a defective plaint to its rejection (2025 CLC 1247; 2024 YLR 1122).

Keywords: suit for declaration; section 42 Specific Relief Act; consequential relief; cancellation of instrument; mutation; revenue record; gift; limitation; Article 120; Peshawar High Court; Supreme Court of Pakistan.

1. Introduction

Declaratory suits are the most common civil suits in Khyber Pakhtunkhwa, and most of them concern land, mutations and inheritance. The practical questions are these. What right can a declaration protect? Who may sue? When must the plaintiff ask for cancellation or possession as well? What happens to a second suit on the same mutation? Who must prove a gift or a mutation when it is challenged? When does time begin to run? And can a defective plaint be saved by amendment? The answers are drawn first from the reported judgments of the Supreme Court of Pakistan and the Peshawar High Court, and then from the important judgments of the other High Courts.

2. Sources and Method

All research was done on the Pakistan Law Site only. Keyword searches (suit for declaration, section 42, consequential relief, cancellation, mutation, revenue record, limitation, Article 120) were run over all

years. Priority was given to the Supreme Court and the Peshawar High Court; important judgments of the other High Courts (Lahore, Sindh, Islamabad and Balochistan) were then added. All results were screened for an actual holding on a declaratory suit. For all 34 judgments kept, the reported text was opened on the site to take the bench, case number and date and to check the headnote against the operative part; where they differed, the operative part was followed. Every proposition in Parts 3 to 5 is taken from one or more of these judgments and carries its citation.

3. The Law in Phases

3.1 The right that can be declared

A declaratory decree under section 42 can declare a pre-existing right but cannot create a new one, and a suit for a declaration of title by a plaintiff with no pre-existing right is not competent (2022 SCMR 348). In that case the Supreme Court set aside the decrees of all three courts below and dismissed the suit (2022 SCMR 348). No declaration of title can be passed without impleading the real owners, and no one can confer a better title than he has (2022 SCMR 348). A suit for declaration cannot be maintained, nor a declaration of title given, on the basis of an agreement to sell (PLD 2026 Peshawar 7). In that case the Peshawar High Court, finding the agreement proved and the suit within time, moulded the relief into one for specific performance (PLD 2026 Peshawar 7).

3.2 The plaintiff's own legal character

To challenge another person's paternity is not an assertion of one's own legal character under section 42 (2023 SCMR 6). A person whose own paternity is denied may sue to establish it, but the plaintiffs, who questioned a child's paternity seven months after her father's death, lacked legal character, and leave was refused (2023 SCMR 6).

3.3 Declaration, possession or cancellation

Where the plaintiff's title is clouded and he is not in possession, he must sue for declaration, possession and injunction (2025 SCMR 34). Plaintiffs who sued only for possession and mesne profits, and could not establish their title, lost the suit altogether, the Supreme Court restoring the trial court's dismissal (2025 SCMR 34). Where a registered power of attorney is proved, the plaintiff must sue for its cancellation under section 39 and not for a declaration under section 42 (2024 SCMR 1319). The Supreme Court there restored the trial court's dismissal of the suit (2024 SCMR 1319). A suit that is in substance one to enforce an arbitration award cannot be brought as a suit for declaration of ownership, because section 32 of the Arbitration Act, 1940 bars it (2024 SCMR 344).

3.4 Repeated suits

Where an earlier suit against a mutation was dismissed through revision, and a later suit was dismissed in default without permission to file afresh, a third suit against the consequential mutation is barred by

Order XXIII, Rule 1, C.P.C. (2026 SCMR 994). Having chosen the civil court over the revenue hierarchy, the petitioners were also bound by that election, and leave was refused (2026 SCMR 994). A plaintiff must succeed on the strength of his own case and not on the weakness of the defendant's (2022 SCMR 1054; 2024 YLR 2303).

3.5 Mutations and the revenue record

In a challenge to a mutation of gift on the plea of fraud, the beneficiaries of the mutation carry the burden of proving the original transaction (2025 SCMR 955). The Supreme Court there decreed the plaintiff's suit and set aside the judgments of the courts below (2025 SCMR 955). The Peshawar High Court applies the same rule: the beneficiary of a challenged mutation must prove the underlying transaction, including payment of consideration (2024 YLR 2366). A party who seeks correction of an entry in the revenue record must prove the fact asserted; a mere assertion about parentage in the record carries no weight (2025 SCMR 387). Where an attorney used a power of attorney that did not authorise sale to sell his sister's land to his own sons, the decree cancelling the mutations stood, and the Supreme Court in review proceedings imposed costs on the petitioners (2024 SCMR 978). Wrong entries cannot defeat an heir's Sharai share, and the Peshawar High Court set aside an inheritance mutation and directed a fresh one (PLD 2025 Peshawar 145).

3.6 Gifts set up against heirs

When brothers rely on a gift deed to the detriment of their sisters, the burden lies on the brothers to prove its validity and authenticity (2026 CLC 176). The Peshawar High Court there restored the trial court's decree in favour of the sister (2026 CLC 176). A claim based on an oral gift must prove the essential ingredients of the gift, and a suit that failed to do so was dismissed (2026 CLC 1034). Where an oral gift was pleaded without details and the original deed and its witnesses were not produced, the presumption attached to a thirty-year-old document did not help the defendants (2025 CLC 1537).

3.7 Instruments and fraud

Where a power of attorney was attested by the Consulate General of Pakistan and then registered, it carried the presumption of execution, and plaintiffs who alleged fraud but did not challenge it in evidence failed to discharge their burden (2024 SCMR 1233). A plaint for declaration and cancellation of a registered deed that disclosed no cause of action was rejected under Order VII, Rule 11, C.P.C. (2026 CLC 913).

3.8 Limitation

A suit for declaration is governed by Article 120 of the Limitation Act, 1908 (2024 SCMR 795; 2024 YLR 2303). A co-owner who knows of an actual denial of his right and does not sue within time loses the right to challenge it, and later revenue entries do not renew the cause of action (2024 SCMR 795). Where the mutation was entered in 1984 and the suit filed in 1998, the reliefs of possession and

injunction, being consequential, fell with the time-barred declaration (2024 SCMR 795). In a case of mere correction of an adverse entry, every new adverse entry gives a fresh cause of action to a person in possession, but that principle did not help plaintiffs whose land had been taken into possession by a school decades earlier (2022 SCMR 189). A claimant who knew of an inheritance mutation and did not raise his objection in the earlier suit was held bound by acquiescence and limitation (2026 CLC 424).

3.9 Defects in the plaint

A plaint should not be rejected because consequential relief was not sought or the whole proprietary body of the shamilat was not impleaded; the court may permit amendment (2025 CLC 1247). In that case the Peshawar High Court allowed the plaintiff to file an amended plaint seeking partition of the entire shamilat and possession (2025 CLC 1247). An amendment adding consequential relief to a suit for declaration was upheld (2024 YLR 1122).

3.10 Conduct of the plaintiff

Relief under section 42 is discretionary, and a plaintiff whose conduct in the proceedings leading to the suit was not above board was refused relief (2022 SCMR 1481). A person challenging a transfer order under the repealed evacuee laws must go to the civil court, a court of plenary jurisdiction (2022 SCMR 1481).

3.11 The other High Courts

The Lahore High Court subjects family gift transactions by daughters in favour of their mother and then their brothers to strict scrutiny, requiring proof of independent advice and free will (2026 CLC 1480 Lahore). A claimant who relies on a gift of a house must prove delivery of possession, and one who did not himself give evidence failed (2026 YLR 1681 Lahore). Where special law provides a remedy, the civil court cannot be approached without exhausting the hierarchy under that law (PLD 2026 Lahore 146). A claim under section 43 of the Transfer of Property Act on an agreement to sell fails without proof of payment of consideration (2026 YLR 942 Lahore). In the Sindh High Court, a beneficiary relying on a sale deed from an illiterate parda-nashin woman carried the burden of proving the transaction (2026 CLC 1370 Sindh). A declaratory suit by tenants claiming a 99-year lease of Government land was barred, and the rejection of the plaint was upheld (2026 MLD 615 Sindh). The Islamabad High Court dismissed a buyer's declaratory suit where the land was sold by an attorney after the power of attorney was revoked and no consideration reached the owner (2026 MLD 9 Islamabad). The Balochistan High Court held that civil courts may entertain declaratory suits against mala fide acts of public functionaries, and remanded such a suit for evidence (PLD 2026 Balochistan 50).

4. Where the Authorities Conflict or Leave a Gap

4.1 Rejection or amendment? The Supreme Court holds that a plaintiff out of possession who sues without the right relief fails (2025 SCMR 34), and that a registered instrument must be attacked by

cancellation (2024 SCMR 1319). The Peshawar High Court, in other cases, has allowed amendment to add the missing relief instead of rejecting the plaint (2025 CLC 1247; 2024 YLR 1122). The cases can be reconciled — the Supreme Court decisions came after evidence, the Peshawar decisions at the threshold — but no reported judgment states that line expressly.

4.2 Moulding of relief. PLD 2026 Peshawar 7 moulded a declaratory suit into one for specific performance; no Supreme Court judgment in this collection decides whether such moulding is available as of course.

4.3 Fraud and limitation. The burden of proving a mutation lies on its beneficiary (2025 SCMR 955; 2024 YLR 2366), but limitation runs from the actual denial of the right (2024 SCMR 795). How the two rules interact where the fraud is discovered late is not stated uniformly in the cases collected.

5. Practical Guide

5.1 For the plaintiff

- **Plead the source of the right** — inheritance, sale or gift — because a declaration cannot create title (2022 SCMR 348).
- **Match the relief to possession:** out of possession, ask for declaration, possession and injunction (2025 SCMR 34).
- **Seek cancellation of any registered instrument** in your way (2024 SCMR 1319).
- **Sue within six years of the actual denial,** not of a later entry (2024 SCMR 795).
- **Do not file in instalments;** a suit dismissed in default without permission bars a fresh one (2026 SCMR 994).
- **If the plaint is defective, apply to amend** before the objection is decided (2025 CLC 1247).

5.2 For the defendant who relies on a mutation or gift

- **Be ready to prove the original transaction** and its consideration (2025 SCMR 955; 2024 YLR 2366).
- **Against a sister's claim, prove the gift deed strictly** (2026 CLC 176).
- **Plead limitation and acquiescence** where the plaintiff knew of the entry (2024 SCMR 795; 2026 CLC 424).

5.3 For the court

- **Decide limitation first** where it disposes of the case (2024 SCMR 795).
- **Prefer amendment to rejection** where the defect is curable (2025 CLC 1247).

6. Conclusion

A declaration declares; it does not create (2022 SCMR 348). The plaintiff must assert his own legal character (2023 SCMR 6), choose the relief that matches his possession (2025 SCMR 34), cancel the instrument that stands in his way (2024 SCMR 1319), and sue within time from the actual denial (2024 SCMR 795). Where a mutation or gift is challenged, the person relying on it must prove it (2025 SCMR 955; 2026 CLC 176).

Annexure A — The Judgments in Question and Answer Form

All 34 judgments relied on, Supreme Court first, then the Peshawar High Court and then the other High Courts, newest first within each court. Each entry gives the citation, parties, bench, case number and date of decision as reported on the Pakistan Law Site, followed by the question decided and the answer. Every entry was checked against the full reported text.

Supreme Court

1. 2026 SCMR 994 — Mst. Safia Khanum v. Additional District Judge-II East, Islamabad

Before: Shahid Bilal Hassan and Shakeel Ahmad, JJ; C.P.L.A. No. 3939 of 2025, decided 7 January 2026

Q. Can a third suit be filed against the same mutation after one suit failed and another was dismissed in default without permission to refile?

A. No. It is barred by Order XXIII, Rule 1, C.P.C., and the petitioners were bound by their election of the civil forum. Leave refused.

2. 2025 SCMR 955 — Mst. Ramzanu Bibi v. Ibrahim (deceased)

Before: Amin-ud-Din Khan and Shahid Waheed, JJ; C.A. No. 113-L of 2010, decided 25 March 2025

Q. Who must prove a mutation of gift challenged as fraudulent?

A. The beneficiaries, who must prove the original transaction. Appeal allowed and the plaintiff's suit decreed with costs.

3. 2025 SCMR 387 — Tasleem Hussain v. Allahdad Shah

Before: Syed Hasan Azhar Rizvi and Aqeel Ahmed Abbasi, JJ; Civil Petitions Nos. 1294-K of 2020, 148-K and 149-K of 2023, decided 15 October 2024

Q. Can parentage in the revenue record be corrected on a bare assertion?

A. No. The party asserting the correction must prove it by evidence. Leave refused.

4. 2025 SCMR 34 — Khurshid Ali v. Miangul Adnan Aurangzeb (deceased)

Before: Amin ud Din Khan and Shahid Waheed, JJ; C.As. Nos. 493 and 494 of 2023, decided 17 October 2024

Q. Can a plaintiff out of possession, whose title is disputed, sue for possession without a declaration?

A. He must sue for declaration, possession and injunction and prove title; the plaintiffs failed. Decrees below set aside and the trial court's dismissal restored.

5. 2024 SCMR 1319 — Shah Madar Khan v. Tariq Daud

Before: Yahya Afridi, Amin-ud-Din Khan and Ayesha A. Malik, JJ; Civil Petition No. 3877 of 2023, decided 9 May 2024

Q. Can a proved registered power of attorney be avoided by a suit for declaration?

A. No. The plaintiff had to sue for cancellation under section 39. Appeal allowed; the trial court's dismissal of the suit holds the field.

6. 2024 SCMR 1233 — Mst. Iqbal Bibi v. Kareem Hussain Shah

Before: Munib Akhtar, Shahid Waheed and Irfan Saadat Khan, JJ; Civil Appeal No. 1229 of 2018, decided 1 February 2024

Q. Who must prove that an attested and registered power of attorney was fraudulent?

A. The plaintiffs who alleged fraud; the document carried the presumption of Article 95. Appeal allowed and the impugned judgment set aside.

7. 2024 SCMR 795 — Ghulam Mustafa v. Mst. Mah Begum

Before: Yahya Afridi and Ayesha A. Malik, JJ; Civil Appeal No. 43-Q of 2018, decided 24 January 2024

Q. When does limitation run for a co-owner's declaratory suit against a mutation?

A. From the actual denial of his right, under Article 120; later revenue entries do not renew it. Appeal dismissed as time-barred.

8. 2024 SCMR 978 — Muhammad Mumtaz Khan v. Mst. Siraj Bibi

Before: Qazi Faez Isa, CJ, Amin-ud-Din Khan and Athar Minallah, JJ; C.M.A. No. 6336 of 2023 in Civil Review Petition No. 272 of 2022, decided 3 November 2023

Q. Can an attorney use a general power of attorney to sell his principal's land to his own sons?

A. No. The decree cancelling the sale mutations stood, and costs of one million rupees were imposed as a charge on the petitioners' land.

9. 2024 SCMR 344 — Haji Shinkai v. Abdul Shakoor

Before: Ijaz ul Ahsan, Munib Akhtar and Shahid Waheed, JJ; Civil Appeal No. 23-Q of 2017, decided 19 October 2023

Q. Can an arbitration award be enforced through a suit for declaration of ownership?

A. No. Section 32 of the Arbitration Act, 1940 bars such a suit. Appeal dismissed.

10. 2023 SCMR 6 — Munir Hussain v. Riffat Shamim

Before: Qazi Faez Isa, Yahya Afridi and Jamal Khan Mandokhail, JJ; C.M.A. No. 3492 of 2022 in C.P. No. Nil of 2022, decided 14 November 2022

Q. May a person sue for a declaration that another person's child is not his?

A. No. Challenging another's paternity is not the plaintiff's own legal character under section 42. Petition dismissed.

11. 2022 SCMR 1481 — Muhammad Din v. Deputy Settlement Commissioner

Before: Sajjad Ali Shah and Yahya Afridi, JJ; Civil Appeal No. 730 of 2015, decided 8 March 2022

Q. Will a declaration be granted to a plaintiff whose conduct was not above board?

A. No. Relief was refused; a challenge to transfer orders under the repealed evacuee laws lies in the civil court. Appeal dismissed.

12. 2022 SCMR 1054 — Nasir Ali v. Muhammad Asghar

Before: Sajjad Ali Shah, Sayyed Mazahar Ali Akbar Naqvi and Muhammad Ali Mazhar, JJ; Civil Petition No. 3958 of 2019, decided 2 February 2022

Q. Can a plaintiff succeed on the weakness of the defendant's case?

A. No; he must succeed on his own. The High Court's judgment was set aside and the decrees of the trial and appellate courts restored.

13. 2022 SCMR 348 — Muhammad Jameel v. Abdul Ghafoor

Before: Amin-ud-Din Khan and Jamal Khan Mandokhail, JJ; Civil Petition No. 1890-L of 2017, decided 29 September 2021

Q. Can a declaratory decree create title where the plaintiff had no pre-existing right?

A. No. Section 42 declares an existing right only. Appeal allowed; the plaintiff's suit dismissed.

14. 2022 SCMR 189 — Principal Public School Sangota, Government of Khyber Pakhtunkhwa v. Sarbiland

Before: Qazi Faez Isa and Yahya Afridi, JJ; Civil Appeals Nos. 71-P and 864 of 2014 (date as printed in the report: 26 November 2011)

Q. Does every new adverse revenue entry give a fresh cause of action?

A. Only to a person in possession seeking mere correction; it did not save a claim against land taken into possession by a school decades earlier. The decree against the school was set aside; the Government's appeal disposed of.

Peshawar High Court

15. PLD 2026 Peshawar 7 — Muqarrab Khan v. Haji Guli Shah

Before: Wiqar Ahmad, J; Civil Revision No. 391-P of 2018, decided 19 October 2023

Q. Can a declaration of title be given on an agreement to sell?

A. No; but where the agreement was proved and the suit was within time, the relief was moulded into specific performance. Revision disposed of accordingly.

16. 2026 CLC 1034 — Mushtaq Ahmad v. Mst. Pass Bibi (Mingora Bench)

Before: Sabit Ullah Khan, J; C.R. No. 178-M of 2017, decided 12 May 2025

Q. Can a declaration rest on an oral gift whose ingredients are not proved?

A. No. Revision dismissed.

17. 2026 CLC 913 — Muhammad Asif Kamal Pasha v. Parveen Akhtar (D.I. Khan Bench)

Before: Inamullah Khan, J; Writ Petition No. 14-D of 2022, decided 21 April 2025

Q. Must a plaint for declaration and cancellation of a registered deed that discloses no cause of action be rejected?

A. Yes. Orders below set aside and the plaint rejected under Order VII, Rule 11, C.P.C.

18. 2026 CLC 424 — Asliyat Khan v. Mst. Saeeda

Before: Farah Jamshed, J; Civil Revision No. 516-P of 2020, decided 10 April 2025

Q. Can an inheritance mutation be challenged after long delay by a claimant who knew of it?

A. No. Limitation and acquiescence barred the claim. Revision dismissed.

19. 2026 CLC 176 — Mst. Bibi Fathul Bari v. Ubaid ur Rahman (Mingora Bench)

Before: Sabit Ullah Khan, J; C.R. No. 311-M of 2021, decided 26 June 2025

Q. Who must prove a gift deed relied on by brothers against a sister's inheritance?

A. The brothers. Revision allowed and the trial court's decree in favour of the sister restored.

20. 2026 YLR 1 — Muhammad Ikram v. Fazal-ur-Rehman

Before: Wiqar Ahmad, J; Civil Revision No. 1717-P of 2011, decided 17 October 2023

Q. What follows where two revisions, one of them time-barred, are filed against the same decree in a suit against a mutation?

A. The High Court decided the matter on merits and adjusted the shares, directing that 2 kanals 17 marlas be debited only to one heir's share; the connected revision was disposed of accordingly.

21. PLD 2025 Peshawar 145 — Mian Fazl-e-Kareem v. Khan Muhammad

Before: Wiqar Ahmad, J; Civil Revision No. 556-P of 2016, decided 19 October 2023

Q. Can wrong revenue entries defeat an heir's Sharai share?

A. No. The earlier mutation was set aside and a fresh inheritance mutation directed.

22. 2025 CLC 1537 — Akbar Shah v. Ayub Khan (Mingora Bench)

Before: Muhammad Naeem Anwar, J; C.R. No. 40-C of 2023, decided 22 October 2024

Q. Does the presumption for a thirty-year-old document prove an undetailed oral gift?

A. No, where the original deed and witnesses were not produced. Revision dismissed in limine.

23. 2025 CLC 1247 — Fayaz v. Muhammad Haneef

Before: S M Attique Shah, J; Civil Revision No. 700-P of 2022, decided 29 April 2024

Q. Should a plaint be rejected for want of consequential relief or non-joinder of the proprietary body?

A. No; amendment should be allowed. Revision partly allowed and the plaintiff permitted to file an amended plaint.

24. 2024 YLR 2366 — Abdur Rehman Khan v. Shafqat Ali Khan (Abbottabad Bench)

Before: Wiqar Ahmad, J; Civil Revision No. 268-A of 2009, decided 9 May 2022

Q. Who must prove the transaction behind a challenged mutation?

A. The beneficiary, including payment of consideration. Revision allowed; the suit dismissed.

25. 2024 YLR 2303 — Mst. Sharif Zadgai v. Provincial Government (Mingora Bench)

Before: Muhammad Ijaz Khan, J; C.R. No. 1026-P of 2010, decided 16 November 2022

Q. How is a declaratory suit against revenue entries decided?

A. On the plaintiff's own evidence and within Article 120. Concurrent findings upheld; revision dismissed.

26. 2024 YLR 1122 — Shahab-ud-Din v. Alam Zeb (Mingora Bench)

Before: Dr. Khurshid Iqbal, J; Writ Petition No. 121-M of 2021, decided 15 March 2023

Q. May a plaintiff amend a declaratory suit to add consequential relief?

A. Yes. The orders allowing amendment were upheld; writ petition dismissed.

Other High Courts

27. 2026 CLC 1480 — Muhammad Iqbal v. Mst. Nargis Bibi (Lahore)

Before: Asim Hafeez, J; Civil Revision No. 2439 of 2010, decided 31 October 2025

Q. Are gift mutations by daughters in favour of their mother, and then to their brothers, valid without independent advice?

A. They are strictly scrutinised; independent advice and free will must be shown. Revision dismissed.

28. 2026 YLR 1681 — Mst. Shamim Bibi v. Zakir Hussain (Lahore)

Before: Sultan Tanvir Ahmad, J; Civil Revision No. 49020 of 2024, decided 2 September 2024

Q. Can a gift of a house be proved without proof of possession and without the claimant's own evidence?

A. No. Concurrent decrees upheld; revision dismissed in limine.

29. PLD 2026 Lahore 146 — Jamshed Khan v. Akbar Khan

Before: Khalid Ishaq, J; Regular Second Appeal No. 17025 of 2020, decided 18 June 2025

Q. Can the civil court be approached directly where special law gives a remedy?

A. No; the special hierarchy must be exhausted first.

30. 2026 YLR 942 — Muhammad Munir v. Muhammad Younis (Lahore)

Before: Sultan Tanvir Ahmad, J; Civil Revision No. 41 of 2009, decided 11 November 2025

Q. Can section 43 of the Transfer of Property Act be invoked without proof of payment?

A. No. Revision dismissed.

31. 2026 CLC 1370 — Gul Hassan v. Wazir Ahmed (Sindh, Sukkur Bench)

Before: Arbab Ali Hakro, J; Civil Revision Application No. S-88 of 2021, decided 24 May 2024

Q. Who must prove a sale deed taken from an illiterate parda-nashin woman?

A. The beneficiary. Revision dismissed.

32. 2026 MLD 615 — Basham Baloch v. Province of Sindh

Before: Muhammad Shafi Siddiqui and Omar Sial, JJ; High Court Appeal No. 90 of 2024, decided 28 March 2024

Q. Can tenants sue for a declaration of entitlement to a 99-year lease of Government land?

A. No; the suit was barred and the plaint rightly rejected. Appeal dismissed.

33. 2026 MLD 9 — Muhammad Ilyas Abbasi v. M/s Hakas (Pvt.) Ltd. (Islamabad)

Before: Inaam Ameen Minhas, J; Civil Revision No. 416 of 2019, decided 18 June 2025

Q. Is a buyer protected where the attorney sold after revocation and paid the owner nothing?

A. No. Decrees set aside and the buyer's suit dismissed.

34. PLD 2026 Balochistan 50 — Sher Ali Kakar v. Director General Sports, Balochistan

Before: Muhammad Ayub Khan Tareen, J; Civil Revision No. 477 of 2023, decided 21 March 2025

Q. Can a civil court hear a declaratory suit against mala fide acts of a public functionary?

A. Yes; the case was remanded for evidence. Petition allowed.