

Order Sheet

THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANO

C.P.No.D-1090 of 2025

(Safdar Ali Ghouri v/s. P.O. Sindh & Ors.)

Date Of Hearing	Order with Signature of Hon'ble Judge
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*Before:*

**Mr. Justice Muhammad Saleem Jessar,**  
**Mr. Justice Nisar Ahmed Bhanbhro,**

Petitioner: Safdar Ali Ghouri, petitioner in person.

The Respondents: Through Mr. Aftab Ahmed Bhutto, Assistant Advocate General, Sindh a/w Tahir Hussain Sangi, Commissioner, Larkana, Dr. sharjeel Noor, Deputy Commissioner, Larkana and Syed Yar Ali Shah, Deputy Director (E&I) Board of Revenue on behalf of Senior Member Board of Revenue, Sindh/Respondent No.3.

Date of Hearing: 10.10.2025

Date of Judgment: 10.10.2025

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**ORDER**

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**Nisar Ahmed Bhanbhro, J.** The petitioner, present in person, submits that Government of Sindh has proposed to establish an Institute of Urology in Larkana, for that purpose, land has been identified by the Revenue Department and such letter has been sent to the Secretary, Land Utilization Department, Board of Revenue, Sindh Karachi, wherein it has been requested that 10 acres of land belonging to the Agricultural Department out of area of Survey No.316, 317 & 318, of Deh Nazar Thariri, Tapa Abra, situated near Police Training Centre, Wagan Road, Larkana may be allocated and transferred for the construction of the above mentioned project.

2. Pursuant to notices, the respondents put their appearance. Respondent No.6 files statement, taken on record. He submits that the land in question

belongs to the Agriculture Department meant for agriculture research purpose and this Court vide order dated 18.11.2025, passed in C.P.No.D-13/2009 and 132/2009 has specifically directed the respondents that the said land should not be used for any other purpose. He also files copy of the said judgment alongwith certain letters. He however, submits no other suitable land is available that may be allotted to the S.I.U.T for such purpose.

3. Heard and perused. From the record made available in the petition, it appears that Dr. Adeeb-ul-Hassan Rizvi vide his letter dated August 22, 2025 has requested the Commissioner, Larkana, to allocate and transfer the land for establishment of SIUT, Larkana; the letter available at page 15 of the petition transpires that the land identified for the purpose of establishment of SIUT has been declared most suitable for the purpose and such a recommendation has also been sent to the Secretary, Land Utilization Department, Board of Revenue, Sindh at Karachi, but no progress until now has been made.

4. The S.I.U.T is already working in Larkana with 26 dialysis machines in a stop gap arrangement, which needs an appropriate location for establishment of a full fledged S.I.U.T Centre at Larkana; the inadvertence, reluctance and lethargic part of the Land Utilization Department not to allocate the land amounts to the denial of the fundamental rights enshrined as principle of policy under Articles 29, 30, 31 & 32 of the Constitution, Islamic Republic of Pakistan, 1973, to the peoples of Larkana, which cannot be tolerated in any circumstances.

5. Since the land bearing Survey No.316, 317 & 318, of Deh Nazar Thariri, Tapa Abra, situated near Police Training Centre, Wagan Road, Larkana has been identified for the purposes of establishment of SIUT, much needed project for the peoples of Larkana and its adjoining areas as no such facility is available in the area and peoples from this area travel to the far off places including Sukkur, Hyderabad and Karachi. The Government of Sindh in terms of Section 10 of The Colonization & Disposal of Government Lands Act, 1912 has framed Statement of Condition vide Notification dated 25.02.2006 for the allotment of the land for agriculture purpose, wherein per rule (6) of the Statement of the Conditions, the land reserved for the amenity purpose can be granted for any other amenity purpose subject to the relinquishment of the

land by the concerned Department or Organization. The Statement of Condition which reads as under:

6. Prohibited areas.- (1) No land shall be granted within the prohibited area of Super Highway, National highway, roads, jails, railway lines, port or any other area notified by the Government.

(2). No land which is already reserved or used for any specific public purpose shall be granted without its relinquishment by the concerned Department or organization.

6. The matter was referred to the Agriculture Department, who presently owns the land and the said land is being used for the purposes of agriculture research, the reason which has made the agriculture department to refuse its relinquishment is the Order dated 18.11.2015, passed by this Court in C.P.No.D-13/2009 and C.P.No.D-132/2009, wherein it has been held that the said land shall be used for the purpose it was acquired and shall not be utilized for any residential or commercial purpose. The operative part of the order is reproduced as under:

“In view of the statement of Mr. Shahid Gulzar Shaikh, Secretary to Govt. of Sindh, Agriculture, Supply & Prices, Sindh, we dispose of these petitions with directions that the land of the Research Farm shall be used for the purpose it was acquitted, and shall not be utilized for any residential or commercial purpose.”

7. Perusal of the above order reveals that the Government was restrained from utilization of the land for any other purpose except the public purpose. The SIUT is meant to serve the peoples of area, the health conditions in the country are rapidly deteriorating and it is need of the hour that the centres like SIUT should be established in all the areas of the Province of Sindh so that the peoples may not travel to Karachi, Hyderabad and Sukkur. For this purpose the order passed by this Court does not restrain the Agriculture Department to relinquish it for this purpose. Since the land presently is being utilized by the Agriculture Department for agricultural research and this purpose can even be achieved by acquiring the land at some other place, but as has been reported by the revenue authorities that no such plot / suitable area is available within the area of Larkana that SIUT may be established over there, therefore, it will be appropriate that this piece of land, which has been

identified by the SIUT be handed over to it for the establishment of SIUT Centre.

8. Consequently, this petition is allowed and the land identified viz. Survey No.316, 317 & 318, of Deh Nazar Thariri, Tapa Abra, situated near Police Training Centre, Wagan Road, Larkana by the SIUT is directed to be immediately handed over to SIUT within a period of 15 days' time from the date of this order. In case the Agriculture Department thinks that they require the land for agriculture research purpose, they may approach the Government of Sindh for allotment of the alternate land so that the research activities may be continued. If the Government of Sindh deems it appropriate that the land in adjoining area is necessary to be given to the agriculture department, the process for acquisition of the same may be initiated. The Agriculture Department is directed to issue Notification of the surrendering of this land to the SIUT within a period of seven days' time from today and Land Utilization Department will allot the land to SIUT within 15 days' time and submit such compliance report to this Court through learned Additional Registrar.

Office to send copy of this order to the Senior Member, Board of Revenue, Hyderabad, Secretary to the Government of Sindh, Agriculture Department, Karachi, Secretary to the Government of Sindh, Land Utilization Department, Karachi, Commissioner, Larkana and Deputy Commissioner, Larkana for compliance. Copy be also provided to the S.I.U.T for information. Copy be also provided to the office of the Additional Advocate General, Sindh for correspondence and compliance. Learned Additional Registrar is directed to ensure compliance.

**Judge**

**Judge**

*Manzoor*

*Approved for reporting*

*Larkana*

*10.10.2025*