

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
MIRPURKHAS**

Crl. Revision Application No.S-07 of 2025

Applicant: Mst. Nazeeran W/o Mukhtiar Ali,
Through Mr. Mehboob Ali Laghari, Advocate.

Respondents: 1. Allauddin S/o Jamaluddin,
2. Mst. Fareeha W/o Attaullah,
Through Mr. Abdul Ghaffar Narejo, Advocate.

The State: Through Mr. Ghulam Abbas Dalwani, D.P.G.

Date of hearing: 19.08.2025

Date of order: 19.08.2025

O R D E R

Amjad Ali Sahito, J: Through this Crl. Revision Application, the applicant has impugned the order dated 28.12.2024 passed by learned Additional Sessions Judge-I, Mirpurkhas in I.D Complaint No.25/2024 “Re-Mst. Nazeeran Vs. Allauddin and others”, wherein trial court has dismissed the I.D Complaint filed by the applicant. Being aggrieved, the applicant filed instant Crl. Revision Application before this court.

Learned counsel for the applicant submits that the applicant has purchased the plot from one Muhammad Shafique but such possession was not handed over to the applicant, as such, the applicant has filed this application.

After filing the complaint, report was called from SHO of PS Satellite Town, Mukhtiarkar Revenue, Taluka Mirpurkhas and Municipal Corporation, Mirpurkhas and on the basis of such reports, learned trial court dismissed the complaint. It is appropriate to reproduce the relevant paragraph as under: -

“This court has called report from SHO PS Satellite Town, Mirpurkhas, Mukhtiarkar Revenue, Taluka Mirpurkhas and Municipal Corporation Mirpurkhas. The Municipal Corporation has reported that the disputed plot is entered in the name of Muhammad Shafique Khan in their record since the year 1990. SHO PS Satellite Town, has reported that plot No.7/C (i)5 is in the possession of Mst. Fareeha Khan while plot No. 7/C (ii)5 is in the possession of Allauddin. It was further reported by the police that plot No.7/C(ii)5 has been sold out to the Allauddin by Mst. Fareeha. It was further reported that both the plots were purchased by the parents of the Mst. Fareeha such copies of mutation have been annexed whereby suit plots were entered in the name of Muhammad Shafique Khan father of Mst. Fareeha vide mutation No. 441/1990 dated 15-08-1990. Such copy of agreement between Mst. Fareeha and respondent Allauddin has been annexed. It is matter of record that civil suit between Mst. Nazeeran and Mst. Fareeha is pending for specific performance of contract. Per complainant father of the Mst. Fareeha had sold out the dispute plot to the complainant but could not transfer, therefore, the complainant has filed civil suit against the L.rs. of Muhammad Shafique Khan including Mst. Fareeha. It is also admitted position that if Mst. Fareeha is one of the legal heir of Muhammad Shafique, original owner of the disputed property, the suit of the complainant fails definitely Mst. Fareeha would inherit the disputed property. Except sale agreement nothing is available with complainant to show her ownership or any other official document to indicate her that she had ever remained in possession of the disputed property which was snatched from her later”

From perusal of record, it reflects that the disputed plot is entered in the name of Muhammad Shafique Khan in Municipal Corporation record. The SHO of PS Satellite Town has reported that plot No.7/C (i)5 is in the possession of Mst. Fareeha Khan while plot No. 7/C (ii)5 is in possession of Allauddin and further the plot No.7/C(ii)5 has been sold out to the Allauddin by Mst. Fareeha. It is also admitted position that Mst. Fareeha is one of the legal heirs of Muhammad Shafique and a civil suit regarding the same property is already pending before the civil court.

In view of above, no illegality or material irregularity pointed out by the counsel for the applicant in the impugned order, as such Crl. Revision Application stands dismissed alongwith pending applications.

JUDGE

****Faisal****