

ORDER SHEET
HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Civil Revision Application No.56 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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17.12.2025

DSR Muhammad Arshad (Legal Officer), H.Q Rangers Karachi present in person

DSR Adeel Ahmed Ansari (Legal Officer) H.Q Rangers Nawabshah, present in person

M/s Bashir Ahmed Almani, D.A.G and Ms.Shamim Mughal, Assistant Attorney General for Paksitan

Mr.Muhammad Sachal R.Awan, Avocate for respondent No.1

Mr.Wali Muhammad Jamari, Assistant A.G Sindh a/w Iqbal Ahmed Junejo, A.C Nawabshah and Mushtaq Ahmed S.T Nawabshah

The applicant has filed an application seeking correction of the order passed by this Court on 09.12.2025. None of the learned Counsel has raised any objection to the same, which entails correction in the recording of the name of the Officer; accordingly, the application is allowed. The Assistant Commissioner/respondent No.2 is present in Court and has submitted comments dated 17.12.2025, which are taken on record.

After hearing the matter, I had dictated certain Orders in open Court; however, on returning to my Chamber, before I could sign the same, on further consideration, I read section 54 of the Land Acquisition Act, 1894 (as amended up-to-date), which is a special law, that essentially provides that an appeal shall lie in any proceedings under this Act to the [Division Bench of] High Court from the award or from any part of the award. The IVth Addl. District Judge Order dated 11.03.2025 in Civil Misc. Appln. in Execution Application No.4/2022 in Land Acquisition Reference No.04/1977 (allowed on 09.02.2022),¹ impugned in this revision, prima facie, are proceedings arising out of and/or in connection with and/or in relation to a part of the Award under the Land Acquisition Act, 1984. Furthermore, the prayer clause (b) of the revision seeking recalculation of the compensation amount

¹ Available on pages 215 - 217

payable to the decree-holder/respondent no.1, viz. reference to Section 28-A of the Act of 1984, potentially appears variation of the concluded Award (the respondent no.2/Land Acquisition Officer acquired the property from respondent no.1/Sirajuddin Sikandar on 16.03.1995), vide this Court's Division Bench Judgment dated 17.03.2020 passed in 1st Appeal No.D-92/2002 (*Sirajuddin Sikandar v. Land Acquisition Officer and Others*),² confirmed by the Supreme Court in Civil Appeal No.35-K/2020 vide its Order dated 06.01.2020,³ notwithstanding the Supreme Court's reported judgment on Section 28-A in *Dilawar Hussain and Others v. The Province of Sindh and others*.⁴

The applicant/Pakistan Rangers (Sindh), as per its own pleading, has contended that the impugned Order attempts to freeze its account per the execution proceedings under the Land Acquisition Act, 1894, but the applicant is merely the beneficiary/acquiring agency in the transaction between the respondent no.1/Sirajuddin Sikandar and respondent no.2/Land Acquisition Officer, therefore, it has preferred this revision.⁵ In such a case, as nothing can be done indirectly, as in the instant case, which could not be done directly, by the beneficiary, in light of judgments of the Supreme Court (footnote #5), begs the question how this Revision is maintainable, within the framework of the special law that provides only the right of appeal and not revision and what should be the alternative forum in the facts and circumstances of the case (Re: 1988 MLD 980).

Applicant Counsel to satisfy this Court on the maintainability of the revision. Not to be treated as part-heard. Issue Court motion notice to the parties for **24.12.2025 at 11:00 a.m.**

JUDGE

AHSAN K. ABRO

² Available on pages 167 – 173 of the revision

³ Available on page 175 of the revision

⁴ PLD 2016 SC 514

⁵ The Supreme Court has also observed in the two cases of (i) *Province of Punjab through the Deputy Commissioner/Collector District Gujranwala and others*, 2024 SCMR 22 and (ii) *the Water and Power Development Authority*, 2009 SCMR 1051, that a beneficiary of acquired land has no right and locus standi to either file a reference against the award of compensation or appeal against a judgment arising out of the reference under Section 18 of the Act of 1894.