

Order Sheet

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

CP No. D- 1068 of 2025
[Ghulam Abbas v. Province of Sindh & others]

Before :

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Riazat Ali Sahar

Petitioner : Through Mr. Saeed Ahmed Janwari, Advocate

Mr. Rafiq Ahmed Dahri, Asstt: A.G., along with Adil Hameed
Mangi, Executive Engineer, and Manzoor Ahmed, Assistant
Engineer

Date of Hearing
& Decision: 09.12.2025

ORDER

ADNAN-UL-KARIM MEMON, J.- Through the listed Constitutional
Petitions, the Petitioner has prayed as under:-

- a. To pass an appropriate order / direct the respondents No.1 to 8 to continue the sanctioned Road from Johi Chhinni Road to village Kamal Khan Rodhnani mile 0/0-1/6, hence the Petitioner is under apprehension that the respondents may usurp the budget and make false bills and withdraw the budget.
- b. Direct the official Respondents to complete the Minutes of Meeting of District Oversight Committee regarding the approval schemes in District Dadu held on 12.11.2022, according to law, and submit the report before this Honourable court.

2. The petitioner's counsel states that he is a resident of Village Kamal Khan Roodnani, Taluka Johi, District Dadu. He submits that the road connecting Johi Chhinni Road to Village Kamal Khan Roodnani was damaged during the 2020 floods. The petitioner, along with other villagers, approached the official respondents for its repair. Consequently, under the chairmanship of the Deputy Commissioner Dadu, the District Oversight Committee approved various maintenance and repair schemes for District Dadu on 12.11.2022, wherein the petitioner's village was listed at Serial No. 58 out of 66 schemes. However, despite this approval, work on the petitioner's scheme was never initiated. Having no alternate remedy, the petitioner has filed the present Constitutional Petition.

3. Upon notice, the Executive Engineer and Assistant Engineer, Provincial Highway Division Dadu, appeared and submitted their comments. They stated that the District Oversight Committee, Dadu, holds a meeting each year to approve the M&R

Program. The minutes of the Committee were forwarded to the higher authorities for the release of funds; however, no funds have been released for the past four years due to financial constraints.

4. From the record, it appears that the petitioner's village was duly included in the list of maintenance and repair schemes approved by the District Oversight Committee, Dadu, in its meeting dated 12.11.2022 at Serial No. 58. It is also not disputed by the official respondents that the road in question suffered damage during 2020 floods and requires repair. Their sole defence is that, despite approval of the scheme, funds have not been released for the last four years due to financial constraints. While this Court cannot direct the executive to allocate funds, it is the statutory obligation of the concerned authorities to process an already-approved scheme and ensure that essential public infrastructure, particularly a connecting road used by an entire village, is not left unattended indefinitely. Administrative inaction cannot frustrate the rights of citizens.

5. Accordingly, this petition is disposed of with direction to the respondents to place the petitioner's approved scheme before the competent authority for prioritized release of funds and ensure that the road repair work is initiated at the earliest practicable time.

6. With these observations and directions, the petition stands disposed of.

A compliance report shall be submitted through Additional Registrar within eight weeks.

JUDGE

JUDGE

karar_hussain/PS*