

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

C.P. No.D-709 of 2025

[Muhammad Siddique v. Province of Sindh & others]

BEFORE:

JUSTICE ADNAN-UL-KARIM MEMON.

JUSTICE RIAZAT ALI SAHAR.

Mr. Mazhar Ali Laghari, Advocate for petitioner.

Mr. Muhammad Sharif Solangi, Assistant Advocate General, Sindh along-with
Ahmed Khan Accountant (BPS-17) District Accounts Office Mithi.

Date of hearing& decision: 10.12.2025.

ORDER

ADNAN-UL-KARIM MEMON, J.- The Petitioners pray that this Court may
graciously be pleased to:

- a. Direct the Respondents to shift/relocate the proposed school building from the presently allotted site to a more suitable location within the village, ensuring convenience for all villagers and students of neighboring areas.
- b. Direct the Chief Program Manager and the contractor to visit the village in person, assess and identify the most appropriate land for the school building, and ensure that the construction does not disturb the privacy (*taqdis* of *chadar* and *char-dewari*) of any household.
- c. Direct Respondents No. 4 and 5 to initiate strict departmental action against Respondent No. 8 in accordance with law, in view of the alleged illegal acts committed under their watch.
- d. Order the Respondents to bear the costs of this petition.
- e. Grant any other relief deemed just and proper in the circumstances of the case.

2. The Petitioners case is that they are residents of Village Muhammad Siddique Saand, where their families have lived for generations. The village primary school was originally established in the name of the uncle of Petitioner No.1, and the Respondent No.1, being the Headmaster, is responsible for its management. According to the Petitioners, a new school building was recently sanctioned and renovated through government funds; however, Respondent No.8, in connivance with certain officials, allegedly cut down trees surrounding the school, failed to install government-provided play equipment, demolished the old building, and sold the materials for personal gain. When the Petitioners inspected the school on 11-10-2025, they found no doors, windows, furniture, or play items. On inquiry, Respondent No.8 allegedly misbehaved, threatened and claimed he had high-level support. The Petitioners further claim that the school has been upgraded to secondary school under World Bank Project, but Respondent No.8 misled officials and the World Bank team, who never visited the

actual site. They argue that the school's current location is congested, has narrow access, lacks drainage and is unsuitable for multi-storey building, which would violate the privacy of local households and disturb the cultural concept of *chadar and char-dewari*. They also allege that Respondent No.8 conducted fake community meeting and submitted a resolution signed by a person not residing in the village. Despite approaching various authorities, the Petitioners claim no action was taken, and instead, they received threats from the respondents. They assert that their fundamental rights have been violated and that they qualify as "aggrieved persons" under Article 199 of the Constitution. They seek relocation of the school to more suitable site and departmental action against Respondent No.8.

3. Learned AAG submits that the Sindh SELECT Project, funded by the World Bank, aims to upgrade 295 primary schools across Sindh, including GBPS Siddique Saand. The selection of each site including the disputed one was made after detailed technical, environmental and social assessments. The existing school has been operational for over 30 years on government land and currently serves more than 170 students. The upgraded facility is designed as a climate-resilient, gender-inclusive Ground-plus-Two structure with modern amenities, benefiting over 500 children from the area. He alleges that construction has been obstructed only at this site due to illegal interference and threats by the Petitioners, led by Petitioner No.1 and his cousin Mashooq Ali, who allegedly want the school shifted to Mashooq Ali's private land, the offer rejected under World Bank policies. A prior petition filed by Mashooq Ali on similar grounds was dismissed as false and malicious. On 11-10-2025, when the contractor began lawful demolition work, the Petitioners allegedly arrived, abused staff, issued threats, and halted construction. This was recorded on video and reported to authorities. The community at large, including 175 parents and elders, has expressed full support for the school's construction at the existing site. Learned AAG argues that the Petitioners are acting with mala fide intentions, delaying a project of urgent public interest, and violating the educational rights of local children under Articles 25-A and 37-B of the Constitution. The Respondents request the Court to reject the petition and allow construction to proceed.

4. Upon careful examination of the record and submissions of both parties, it is noticed that the Petitioners seek relocation of the school building from its existing government-allotted site, alleging mismanagement, illegal acts, and threats by Respondent No.8. However, the record and the submissions of learned AAG demonstrate that the site selection for GBPS Siddique Saand was made after rigorous technical, environmental, and social assessments in accordance with the World Bank's policies and the Sindh SELECT Project guidelines. The existing school has been operational for over three decades, serving the educational needs of the village and neighboring areas. The proposed upgraded school is designed as a Ground-plus-Two, climate-resilient, and gender-inclusive facility to benefit over 500 children. The Petitioners' attempt to relocate the school to private land was rejected as it fails to meet legal, technical, and safety requirements under World Bank policy. The obstruction

caused by the Petitioners, including threats, verbal abuse, and interference in lawful construction activities, was/is illegal and resulted in unnecessary delays to a project of urgent public interest. The larger community, including 175 parents and elders, has expressed unequivocal support for the school’s construction at the existing site.

5. In view of the above, it is concluded that the Petitioners have acted with mala fide intentions, and their claims lack merit. The Petitioners have failed to demonstrate any legal or factual basis to warrant relocation of the school or departmental action against the Respondents beyond the lawful measures already in place. The local administration is directed to assist the Respondents in completing the remaining construction work at the site without any interference from the Petitioners or members of their community, and the police shall ensure swift action in accordance with law to maintain law and order situation.

6. Accordingly, the Petition is hereby dismissed. No further relief is granted to the Petitioners. Costs of this petition shall be borne by the Petitioners.

JUDGE

JUDGE