

ORDER SHEET
HIGH COURT OF SINDH CIRCUIT COURT, MIRPURKHAS

C.P No.D-781 of 2025

[Jehanzaib Khan and another v. Province of Sindh and others]

Before

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Riazat Ali Sahar

Mr. Ahmed Ali Ghumro, Advocate on behalf of petitioner.

Mr. Sharif Solangi, Assistant A.G. Sindh.

Mukhtiarkar Sanobr Ali Sipio, Taluka Hussain Bux Mari.

Mr. Faisal Ali Soomro, ADC-II, Mirpurkhas.

Date of Hearing

& Order : 17.12.2025

ORDER

ADNAN-UL-KARIM MEMON, J. - Petitioners prayed as follows:

- a. Declare the impugned Notification dated 31.10.2025 illegal, unlawful, and without legal effect.
- b. Direct Respondents to implement the recommendations of the Fact-Finding Committee dated 08.05.2025 and conclude disciplinary proceedings against the implicated officials.
- c. Restrain Respondents from taking any action affecting the Petitioners' lawful ownership of 22-03 Acres in Deh 109, Taluka Hussain Bux Mari.
- d. Suspend and set aside the impugned notification issued with mala fide intent.
- e. Grant any other relief deemed just and proper.

2. It is the claim of the petitioners that Respondent No.2, to shield certain revenue officials, issued Notification dated 30.10.2025, constituting a fresh Fact-Finding Committee comprising the Commissioner, Shaheed Benazirabad Division Chairman, Judicial Member, Board of Revenue, Sindh, and Commissioner Mirpurkhas Division. This Committee was tasked with the same terms of reference already exhaustively inquired into by the earlier Committee constituted by Respondent No.3 vide Office Order dated 13.12.2024, which had identified. Zohaib Hassan Memon then Mukhtiarkar, Dolat Ram Malhi Assistant, and Munshi Manohar Lal Tapedar as prima facie responsible for manipulating and tampering with the revenue record, affecting the Petitioners' vested rights in the subject land. It is urged that the constitution of this new Committee appears to be a deliberate attempt to delay, derail, and frustrate lawful action against the delinquent officials. Following this, the Additional Commissioner-II, Shaheed Benazirabad Division, issued letters dated 11.11.2025 and 13.11.2025 to Respondent No.3 and Sub-Registrar, Mirpurkhas, directing them to re-examine record and sale deeds, despite these matters already having been thoroughly investigated and recommendations

for disciplinary action issued. A notice for meeting/ inquiry was also issued on 18.11.2025, requiring the production of all records and submissions. These actions are duplicative and arbitrary, as the earlier Committee had conclusively addressed the matter. Despite earlier inquiries, public reporting and clear recommendations for disciplinary action against the implicated revenue officials, no action was taken. This inaction reflects administrative negligence, *mala fide* intent, and deliberate shielding of corrupt officials, undermining the Petitioners' rights and the integrity of Record of Rights.

3. Learned counsel for the petitioners submitted that reopening the concluded inquiry is illegal, arbitrary and *mala fide*. Petitioners' rights under Articles 9 and 24 of the Constitution, including the property right, have been violated. The fresh Committee duplicates the earlier inquiry, protecting delinquent officials and delaying justice. He emphasized that respondents' failure to act on prior findings constitutes administrative negligence and deliberate obstruction.

4. Learned AAG submitted that a new Committee was formed due to lacunas in the earlier inquiry, including incomplete hearings and failure to consider certain claims, i.e. Evacuee Property, ensuring impartiality and expert review. Petitioners have no cause of action to call in question the constitution of inquiry committee of higher officials; therefore, the petition is not maintainable and should be dismissed.

5. The Petitioners assert that Respondent No.2, by Notification dated 30.10.2025, constituted a fresh Fact-Finding Committee duplicating the earlier Committee of 13.12.2024, which had already identified revenue officials responsible for tampering with records and recommended disciplinary action. They claim, this is a deliberate attempt to delay and frustrate lawful action, violating their rights under Articles 9 and 24 of the Constitution. Learned AAG submitted that the new Committee addresses lacunas in the earlier inquiry, ensuring impartiality.

6. Without touching the merits of the case, the Chief Secretary is directed to address the matter afresh, hear the parties, and, if any irregularity by revenue officials is found on their part, recommend departmental action in accordance with law. The aforementioned exercise shall be undertaken within two months. Meanwhile, the revenue officials who are facing inquiry shall not be allowed to be on operational duties till conclusion of the inquiry proceedings.

A copy of this order be communicated to Chief Secretary of Sindh for compliance.

JUDGE

JUDGE