

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
C.P.No.D-1208 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-6023/2020
2. For orders on office objections
3. For hearing of MA- 6024/2020
4. For hearing of main case.

04.11.2020.

Mr. Sikandar Ali Junejo, advocate for petitioner.

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1. Urgency granted.
2. Deferred.
3. Granted subject to all just exception.
4. The petitioners by way of instant petition have sought for direction against Mukhtiarkar / Assistant Commissioner Tando Ghulam Haider District Tando Muhammad Khan for demarcation, partition and separate possession of their landed property for the reason that they have failed to-do it despite approaches.

As per the averment made in the petition, the subject land is illegally occupied by the private respondents which go to suggest that the petitioners are not in possession of the subject land. Being out of the possession of the subject land petitioners could hardly claim demarcation, partition and separate possession thereof through Revenue Officers. In that situation, Mukhtiarkar / Assistant Commissioner Tando Ghulam Haider District Tando Muhammad Khan could hardly be directed to resolve the controversy which is factual in its nature, between the

petitioners and the private respondents under the garb of demarcation, partition and separate possession of the landed property. However, the petitioners subject to their title may approach Civil Court having jurisdiction for the purpose if so are advised.

In view of above, the instant petition being misconceived is dismissed in limine.

JUDGE

JUDGE

Ahmed/Pa,