

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI

C.P.No.D-1750 of 2019

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

**Before:-
Mr.Justice Muhammad Ali Mazhar
Mr.Justice Agha Faisal**

Mukhtiar Ahmed Shah & othersPetitioners

Versus

Province of Sindh & others.....Respondents

10-12-2019

Syed Mureed Ali Shah Advocate for the Petitioners.
Mr.M.B. Khatian, Advocate for Respondent Nos.2 to 4
Mr.Jawad Dero, A.A.G.
Mr.Shahnawaz, Executive Engineer, Phuleli Canal Division,
Badin is present.

Muhammad Ali Mazhar, J: The petitioners have approached this court for directions against respondents to reconstruct crest level of Pandhi Wah Regulator off-taking at 30th Mile X-Regulator. They further prayed for the directions against respondents to supply irrigation water in Pandhi Wah Regulator till the Pandhi Wah Regulator crest level is rectified. Learned counsel for the petitioners pointed out that the petitioners have filed some complaints but no action has been taken so far on the complaints of the petitioners.

2. Mr.M.B, Khatian, Advocate for the respondent Nos.2 to 4 submits that earlier similar matters were taken up by the Division Bench of this court at Circuit Court, Hyderabad and in pursuance of directions a committee has been constituted to look into the matters. He further pointed out that a

notification dated 13.09.2019 whereby a committee has been constituted with the terms of reference that the committee shall examine the issue whether the raising of crest levels of cross regulators and head regulators on Phuleli Canal under WSIP is justified and the committee shall also resolve the issue.

3. Learned counsel for the respondent Nos.2 to 4 submits that instead of approaching the committee under the notification, the petitioners have directly filed this petition which is not maintainable. After hearing the learned counsel for the parties, we dispose of this petition with the directions to the committee constituted in terms of notification dated 13.9.2019 to hear the petitioners and decide their complaints within 03 weeks. The committee shall also resolve the grievance of the petitioners.

Judge

Judge

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