

ORDER SHEET  
**HIGH COURT OF SINDH CIRCUIT COURT,  
HYDERABAD**

**C.P. No.D-681 of 2015**  
*[Aftab Ahmed versus Province of Sindh]*

***Before:-***

**Mr. Justice Nadeem Akhtar**

**Mr. Justice Adnan-ul-Karim Memon**

**Date of hearing & Order:**

**17.11.2021**

None present

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**ORDER**

**ADNAN-UL-KARIM MEMON, J, -** Through this petition, the petitioner is seeking direction to the Mukhtiarkar concerned for issuance of letter of re-verification of sale certificate.

2. This petition does not fall within the ambit of Article 199 of the Constitution. There is a misconception and trend that in any of the situations, Article 199 of the Constitution can be invoked without availing and exhausting the remedy provided by law, on the ground of violation of fundamental rights guaranteed by the Constitution. Perusal of record reflects that the petitioner has not availed/exhausted remedy provided under the law before filing this petition, thus we are not inclined to entertain this petition for the reason that this is not the function of this Court to look into the matter of re-verification of sale certificate or otherwise, which is the primary duty of the Revenue officer under the Land Revenue Act and Rules framed there-under. Besides that this Court has already settled the subject question in C.P.

No. D- 1578 of 2017 along with connected petitions vide common order dated 26.11.2019.

3. This petition was presented on 11.4.2015 and since then the petitioner has failed to pursue this petition. Today also he is called absent without intimation. The petition is dismissed for non-prosecution.

JUDGE

JUDGE

Sajjad Ali Jessar