

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-189 of 2013

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

1. For orders on office objection
2. For hearing of M.A. No. 1220/2013
3. For hearing of main case

23.02.2021

Mr. Arbab Ali Hakro advocate for petitioners.

Mr. Muhammad Yousuf Laghari advocate for respondent No.5.

Mr. Allah Bachayo Soomro A.A.G. along with Arif Yousuf, Assistant Executive Engineer Mithrao Canal Sub-Division Samaro.

-.-.-

Objections dated 23.02.2021 have been filed by learned counsel for respondent No.5, which are taken on record.

We have heard learned counsel for the parties and learned A.A.G. Sindh at considerable length. The dispute between the petitioners and respondent No.5 started when an application (page 33) was filed by respondent No.5 for changing the course / route of the subject watercourse. Detailed comments have been filed by official respondents wherein they have categorically stated that no action has been taken by them on the said application filed by respondent No.5, and the application filed by the present petitioners under Section 91 of the Sindh Irrigation Act shall be decided by them strictly in accordance with law. The above stance of the official respondents has been confirmed before us by Arif Yousuf, Assistant Executive Engineer Mithrao Canal, Sub-Division Samaro, who is present today in Court.

With the consent of learned counsel for the parties, learned A.A.G. Sindh and the above named officer, the competent authority / respondent No.3 (Executive Engineer Mithrao Canal Division Mirpurkhas) is directed to decide the above two applications filed separately by respondent No.5 and the petitioners within thirty (30) days from receipt of this order strictly in accordance with law and after providing opportunity of hearing to all concerned, including the parties herein. Till the final decision of the above applications in terms of this order, parties shall maintain status-quo.

By consent, the petition and listed application stand disposed of in the above terms with no order as to costs.

J U D G E

J U D G E