

Order Sheet
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

CP No. D- 643 of 2016

| DATE | ORDER WITH SIGNATURE OF JUDGE |
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20.04.2022

For orders on office objection
For hearing of MA 6760/16
For hearing of main case

Mr. Zahid Mallah, Advocate for Petitioners

Mr. Abdul Rehman Dars, Advocate holds brief for Mr. Hameedullah Dahri, Advocate for respondents 10 & 11

Mr. Ayaz Ali Rajpar, Asstt: A.G.

This petition is pending since six years whereby the order of Assistant Commissioner / Tenancy Tribunal Sinjhoru dated 20.8.2015 and order dated 12.2.2016 passed by ADC / Additional Collector-I, Sanghar, are challenged by the petitioner. The primary argument of the petitioner's counsel is that the Assistant Commissioner Sinjhoru did not hear the petitioner while passing the order and that the appeal that was preferred by the petitioner was decided after hearing the petitioner but that too was not in accordance with law. We have gone through both the orders and are of the view that the orders were passed after taking into consideration all material available on record by them. Learned counsel apart from the fact that he was not heard by the Assistant Commissioner has not uttered any word as far as the merit is concerned. He kept on saying that the landlord has retained wheat bags on account of tenancy dispute. This tenancy dispute was over when the order of Additional Collector- I Sanghar was passed. The irrelevant and extraneous consideration as raised in respect of the wheat bags cannot be taken into consideration in these proceedings which has primarily challenged the order of Assistant Commissioner and the Appellate Authority i.e.

Additional Collector -I. This being the situation the instant petition is dismissed.

JUDGE

JUDGE

karar_hussain/PS*