

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

**R.A. No.04 of 2012.**

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DATE	ORDER WITH SIGNATURE OF JUDGE
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25-03-2022

For hearing of main case.

Mr. Sunder Das advocate for the applicant.  
Mr. Rustam Khan Talpur and Mr. Arbab Ali Hakro advocate for respondents.

Mr. Wali Muhammad Jamari, Assistant Advocate General.

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After arguing the matter at length, consensus between the counsel emerges that remedy available to the applicant as pointed out in the order dated 20.06.2002 be availed by the applicant. Resultantly the instant revision application is disposed of with direction for the applicant to do whatever is mandated by the abovementioned order passed by Member (Judicial) Board of Revenue, Sindh, Hyderabad. Para No.8 of the subject order is reproduced hereunder:-

*“8. I have heard the counsel for the parties in this matter, the counsel for the appellants beside other pleas has raised the plea that remand order of the Hon’ble High Court as well as of Chief Land Commissioner (Senior Member, Board of Revenue Sindh) was “the case is remanded to Deputy Land Commissioner, Badin” which is quite clear that the jurisdiction was with the land reform forum to adjudicate the issues involved in the matter. The Additional Commissioner-I, Hyderabad without taking case of the same has wrongly exercised the jurisdiction as Revenue Officer when the land was through out dealt with under Land Reform Jurisdiction. In this circumstances the order dated 21.11.1995 passed under revenue jurisdiction is null and void being without jurisdiction. It is settled law that any structure built over a void order is also liable to collapse and is without jurisdiction has no legal effect and set aside the order dated 21.11.1995 being without jurisdiction and any other subsequent orders based on this order are also void and without jurisdiction, the case however is remanded back to Executive District Officer (Revenue), Badin to hear all the parties after service of notice to the parties.”*

Since this is a long pending matter therefore, competent forum shall pass speaking order after hearing both the sides preferably within 90 days.

**JUDGE**