

16-5-13  
1501  
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Constitution Petition No. 1501 of 2013

Ghulam Bashir s/o Ghulam Hyder Shaikh  
Muslim adult sheikh bycaste  
Resident of village Bachal Shah Miani  
Taluka New Sukkur District Sukkur

**Petitioner**

V e r s u s

1. Province of Sindh,  
Through Secretary Revenue Department  
Sindh Sect: Karachi.
2. Commissioner Sukkur Division  
Sukkur.
3. Deputy Commissioner  
District Sukkur
4. Senior Superintendent of Police/SSP  
District Sukkur.
5. Assistant Commissioner  
Sukkur
7. Principal  
Ghulam Muhammad Mahar Medical College  
Sukkur.
8. Mukhtiarkar (Revenue)  
Taluka New Sukkur.
9. S.H.O, P.S Airport  
District Sukkur
10. Secretary Land Utilization Department  
Sindh Sect: Karachi.

..... Respondents

**ORDER SHEET**  
**COURT OF SINDH BENCH AT SUKKUR**

C.P.No. 1501 of 2013.





- 1.For orders on office objection at Flag.A.
- 2.For orders on CMA 4504/13.
- 3.For orders on CMA 4505/13.
- 4.For Katcha Peshi.
- 5.For orders on CMA 4506/13.

21.05.2013. Mr.Muhammad Iqbal Memon advocate for petitioner.

1. Deferred.
2. Granted.
3. Granted subject to all just exceptions.

4&5. Through this petition, petitioner seeks following relief(s):-

- a). To direct the respondent Nos.03, 08 and 09 and other respondents to act according to law and not dispossess the petitioner and his relatives from their own land without due course of law under the garb of their official capacity.
- b). To direct the respondent No.04 to provide legal protection to petitioner and others as the respondent Nos.08 and 09 are misusing his authority while trying to dispossess the petitioner and his relatives from their own property.
- c). To direct the respondents to ensure that if any action it will be strictly in accordance with law.
- d). To grant any other relief as this honourable Court may deem fit and proper under circumstances of the case.

From the contents of memo of the petition it appears that some of the



**ORDER SHEET**

**THE COURT OF SINDH BENCH AT SUKKUR**

Survey numbers mentioned in the petition, do not find place in the copy of record of rights annexed with the memo of petition. Since, factual controversy with regard to the ownership/share of the petitioner and cannot be resolved in writ petition, therefore, in view of above, we dispose of this petition with direction to the petitioner to approach Civil Court within 15 days. Till then the official respondents shall not take any action against the petitioner without due course of law.

  
JUDGE

  
JUDGE

Akber.