

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
C.P.No. D - 1759 of 2023.

- 1.For orders on CMA 7600/2023.
 - 2.For orders on o/obj.at Flag.A.
 - 3.For orders on CMA 7601/2023.
 - 4.For orders on CMA 7602/2023.
 - 5.For Hearing of main case.
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12.12.2023.

Mr. Abdul Rauf Abro Advocate for petitioners.

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1. Granted.
2. Deferred.
3. Granted.

4&5 The Petitioners have invoked the jurisdiction of this Court under Article 199 of the Constitution alleging that irrigation water is being stolen by the private respondents from a particular watercourse and seek that directions be issued to the official respondents for initiation of criminal proceedings against the private respondents who are said to be complicit in the matter. However, on a query posed to learned counsel that how the subject falls under Article 199 of the Constitution as the petitioners may act of their own accord to set the criminal justice system in motion, he simply stated that the Petitioners would be satisfied if directions were issued for water to be provided as per the share list. Needless to say, that line of argument presents a departure from what is otherwise the main focus of the petition. Furthermore, we have observed that C.P. No. D-529 of 2016 was earlier filed on that score and allowed with such directions, hence no reiteration is warranted. The petition being misconceived stands dismissed in *limine* accordingly along with the pending miscellaneous application.

JUDGE

JUDGE

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